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1 SEPTEMBER 1982

EXECUTIVE SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street on Wednesday, September 1, 1982 at 1630 hours in Executive Session.

PRESENT: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

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1. Attorney-Client Conference.

FEB 8 1983

No vote was taken.

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1 SEPTEMBER 1982

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, September 1, 1982 at 1700 hours in regular session.

PRESENT: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

Commissioner Sanchez presiding.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

100 JULIAN STREET - DINO'S PRODUCE

- a) At 100 Julian, install 44' yellow zone extending from 16th Street 44' north on Julian Street.

500 BALBOA STREET - KOREAONE SAN FRANCISCO BRANCH

CONTINUED TO MEETING OF SEPTEMBER 15, 1982.

1608 OCEAN AVENUE - WILSON'S ANTIQUES & MONTEREY FLORIST

- a) At 1608 Ocean Avenue, install 18' yellow zone from the west property line of 1608 Ocean, extending 18' east of same.
- b) Remove Meter OCE 1602.

130 POPE STREET - POPE STREET GROCERY

- a) At 130 Pope Street, install 22' yellow zone extending from the east property line of 130 Pope, 22' west of same.

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1740 VAN NESS AVENUE - FOUNDERS TITLE COMPANY

- a) At 1740 Van Ness Avenue, revoke 30' white zone extending from 57' to 87' south of Clay Street. Replace with 30' green zone from 57' to 87' south of Clay Street.

601 HAIGHT STREET - S.F.P.D. - REVOKED

- a) At 601 Haight Street, revoke existing 24' green zone extending from 7' to 30' west of Steiner Street.

438 HAIGHT STREET - S.F.P.D. - REVOKED

- a) At 438 Haight Street, revoke existing 27' white zone, 27' east of the west building line.

475-477 HAIGHT STREET - S.F.P.D. - REVOKED

- a) At 475-477 Haight Street, revoke existing 36' yellow zone, extending from 75' to 111' east of Fillmore Street.

488 HAIGHT STREET - S.F.P.D. - REVOKED

- a) At 488 Haight Street, revoke existing 22' green zone, extending from east property line 22' west.

575 HAIGHT STREET - S.F.P.D. - REVOKED

- a) At 575 Haight Street, revoke existing 22' yellow zone, extending from east property line 22' west of same.

655-663 HAIGHT STREET - S.F.P.D. - REVOKED

- a) At 655-663 Haight Street, revoke existing 38' green zone, extending from 3' to 41' west of the east line of 655 Haight Street.

683 HAIGHT STREET - S.F.P.D. - REVOKED

- a) At 683 Haight Street, revoke existing 20' green zone extending from 75' to 95' east of Pierce Street.

199 SPEAR STREET - S.F.P.D. - REVOKED

- a) At 199 Spear Street, revoke existing 115' yellow zone, extending from 10' to 125' north of Howard Street.

622 SHRADER STREET - S.F.P.D. - REVOKED

- a) At 622 Shrader Street, revoke existing 39' green zone, extending from 8' north of the north building line to 31' south of the north building line.

1400-04 FOLSOM STREET - S.F.P.D. - REVOKED

- a) At 1400-04 Folsom Street, revoke existing 70' yellow extending from 56' to 126' west of 19th Street. Revoke 30' yellow zone to extend east of the west line. Revoke 25' yellow zone from 21' to 46' west of the east line of same.

2301 STEINER STREET - S.F.P.D. - REVOKED

- a) At 2301 Filbert Street, revoke existing 18' green zone, extending from 3' to 21' west of Steiner Street.

#2 BONITA STREET - S.F.P.D. - REVOKED

- a) At #2 Bonita Street, revoke existing 36' green zone, extending from 6' to 42' west of the east building line.

25 FIRST STREET - S.F.P.D. - REVOKED

- a) At 25 First Street, revoke existing 70' yellow zone, extending from the north property line of 25 First Street, 70' south of same.

41 FIRST STREET - S.F.P.D. - REVOKED

- a) At 41 First Street, revoke existing 36' yellow zone, extending from 5' north of the south building line of same.

1460 48TH AVENUE - S.F.P.D. - REVOKED

- a) At 1460 48th Avenue, revoke existing 36' green zone, extending from 3' to 39' south of the north line of same.

1040 BUSH STREET - S.F.P.D. - REVOKED

- a) At 1040 Bush Street, revoke existing 27' yellow zone, extending east of the west building line of same.

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 721 feet of red, green and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 717-82

KEVIN MARC O'CONNELL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kevin Marc O'Connell against the City and County of San Francisco in the sum of \$400.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 25, 1982

AYES: Commissioners Nelder, Murphy, Sanchez

RESOLUTION NO. 718-82

N. C. MORRIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of N.C. Morris against the City and County of San Francisco in the sum of \$75.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 5, 1982

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 716-82

HENRY MATTHEW NOWAKOWSKI VS. CITY AND COUNTY OF SAN FRANCISCO, DOES 1 THROUGH 100, INCLUSIVE. MUNICIPAL COURT ACTION NO. 802-637

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Henry Matthew Nowakowski against the City and County of San Francisco, Does 1 through 100, inclusive, in the sum of \$2,000.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 21, 1978

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 715-82

FRANK CRATIN VS. THE CITY AND COUNTY OF SAN FRANCISCO, MANFRED P. KOLLER, AN INDIVIDUAL, ET AL. SUPERIOR COURT ACTION NO. 778-322

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frank Cratin against the City and County of San Francisco and Manfred P. Koller, an individual, et al., in the sum of \$2,500.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 23, 1980

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 714-82

ARKADY SHEBALIN, BORIS SHEBALIN VS. THE CITY AND COUNTY OF SAN FRANCISCO, THE SAN FRANCISCO POLICE DEPARTMENT, OFFICER DANIEL WALSH, OFFICER SCOTT AND OFFICER O'CONNELL, ET AL., SUPERIOR COURT ACTION NO. 755-089

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Arkady Shebalin, Boris Shebalin vs. the City and County of San Francisco, the San Francisco Police Department, Officer George Cima, Officer Daniel Walsh, Officer Scott and Officer O'Connell, et al., in the sum of \$1,200.00 as the result of damages sustained, be, and the same is hereby approved.

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 710-82

AUTHORIZING ATTENDANCE OF POLICE OFFICERS DANIEL BOYD AND CHARLES LARSON, PHOTO LAB, AT A LAW ENFORCEMENT WORKSHOP IN ROCHESTER, NEW YORK

RESOLVED, that the recommendation of the Chief of Police that Police Officers Daniel Boyd and Charles Larson, Photo Lab, be detailed to attend a Law Enforcement Workshop conducted by the Eastman Kodak Company in Rochester, New York, from September 20 to September 24, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the officers in a sum not to exceed \$888.00 each will be defrayed from the Department Training Fund.

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 711-82

AUTHORIZING ATTENDANCE OF INSPECTOR EDWIN KENNEY, HOMICIDE DETAIL, AT AN INVESTIGATION OF HOMICIDE AND VIOLENT CRIMES COURSE IN SANTA CRUZ FROM SEPTEMBER 20, 1982 TO SEPTEMBER 24, 1982

RESOLVED, that the recommendation of the Chief of Police that Inspector Edwin Kenney, Homicide Detail, be detailed to attend an Investigation of Homicide and Violent Crimes Course, conducted by the Department of Justice in Santa Cruz, California from September 20, 1982 to September 24, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspector Edwin Kenney of the Homicide Detail, in a sum not to exceed \$290.00 will be defrayed by P.O.S.T.

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 712-82

AUTHORIZING ATTENDANCE OF POLICE OFFICER SANDRA DALY, INTELLIGENCE DIVISION, AT A RELIGIOUS CULT SEMINAR IN VANCOUVER, BRITISH COLUMBIA, FROM OCTOBER 5, 1982 TO OCTOBER 7, 1982.

RESOLVED, that the recommendation of the Chief of Police that Police Officer Sandra Daly, Intelligence Division, be authorized to attend the Religious Cult Seminar in Vancouver, Canada from October 5, 1982 to October 7, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Officer Daly, Intelligence Division, will be paid by the Royal Canadian Mounted Police at no expense to this department.

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 713-82

AUTHORIZING ATTENDANCE OF EIGHT (8) MEMBERS OF THE TACTICAL DIVISION AT A SPECIAL WEAPONS AND TACTICS REFRESHER TRAINING COURSE AT FORT ORD, CALIFORNIA, FROM SEPTEMBER 14, 1982 TO SEPTEMBER 15, 1982.

RESOLVED, that the recommendation of the Chief of Police that eight (8) members of the Tactical Division be detailed to attend a Special Weapons and Tactics Refresher Training Course at Fort Ord, California from September 14 to September 15, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the eight personnel of the Tactical Division, in a sum not to exceed \$1,000.00 will be reimbursable by P.O.S.T.

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

POLICE COMMISSION REPORT:

Commissioner Sanchez stated there was no Police Commission Report tonight.

CHIEF'S REPORT:

There was no Chief's Report tonight.

RESOLUTION NO. 707-82

DEPARTMENT GENERAL ORDER P-9 - POLICE DEPARTMENT
IDENTIFICATION CARDS - APPROVED

RESOLVED, that the Police Commission hereby approves Department General Order No. P-9, Police Department Identification Cards.

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 706-82

DEPARTMENT GENERAL ORDER I-2 - CHARGING VIOLATIONS
OF PROBATION OR PAROLE - APPROVED

RESOLVED, that the Police Commission hereby adopts the proposed Department General Order No. I-2, Charging Violations of Probation or Parole.

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

REQUEST OF THE CHIEF OF POLICE TO ADOPT A RESOLUTION
ASKING THE BOARD OF SUPERVISORS TO ACT ON A PROPOSAL
TO AMEND THE STATE PENAL CODE (CONTINUED FROM
MEETING OF AUGUST 18, 1982 - CONTINUED TWO WEEKS

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

RECEIPT OF GENERAL ORDER I-12, HAZARDOUS MATERIAL
INCIDENT. (COPIES SENT TO EMPLOYEE ORGANIZATIONS) -
CONTINUED TWO WEEKS FOR PUBLIC HEARING

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 709-82

VEHICLE CRASH HELMETS AND RADIO EQUIPMENT USED BY
MOTORCYCLE OPERATORS - APPROVED

RESOLVED, that the specifications for vehicle crash helmets equipped with radio transmitting and listening components shall be as follows:

HELMET

Model and Style: Bell Helmet, Inc. Model BT-5
Full Coverage (open face) or acceptable equal.
Two-tone color - white with black low trim.

- Standards: American National Standards Institute Z90.1b-1979. Snell 1975. U.S. Department of Transportation FMVSS218 (sizes 7-7/8 through 7-3/4).
- Shell: Hand laminated 8-harness satin weave fiberglass cloth and isophthalic polyester resin. Finished with silane/chrome and baked high gloss urethane paint. Soft neoprene rubber molding (no metal) on edges.
- Visor: Flexible with high gloss patent leather finish designed to partially or totally detach in case of severe impact. Silver milar trim.
- Impact Liner: Molded from pre-expanded polystyrene copolymer bead 1.1 inch nominal thickness.
- Size Padding: Die Cut polyurethane foam covered with brushed nylon cloth and sewn with nylon thread.
- Retention: 14 gauge stamped steel attaching clips attached to helmet with 3/16 inch diameter brass rivits. 7/8 inch minimum width nylon webbing (min. breaking strength 3100 lbs.) sewn to clips with nylon thread. .09 inch stamped steel, nickel plated D-rings for closure. No chin cup to be used.
- Cleaning: All parts to be cleanable with soap and water.

HELMET TRANSMITTING AND LISTENING COMPONENTS

Model and Style: Setcom Corp. noise cancelling boom microphone and speaker with jacks to control box and radio with handle bar switch. Microphone and speaker to be factory installed on vehicle crash helmet.

Note: Vendors offering "acceptable equal" equipment will be considered as suppliers.

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

REQUEST OF MR. JESUS LOSA FOR PERMISSION TO ADD AN ASSISTANT DRIVER TO OPERATE HIS JITNEY BUS WITH PERMIT #72 ON THE THIRD STREET ROUTE - CONTINUED FOR ONE MONTH TO OCTOBER 13, 1982.

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

REQUEST FOR APPROVAL OF VOLUNTARY SETTLEMENT
AGREEMENT OF ROBERTO HERNANDEZ, ET AL., PLAINTIFFS,
VS. DIANNE FEINSTEIN, ET AL., DEFENDANTS

Dr. Sanchez: "This is an added item, a matter that was referred to the US District Court. It is my understanding that the District Court took no action on it but asked that in conjunction with the City and with the plaintiffs to see if in fact there could be a means for a voluntary settlement to better understand and work in the best interest of San Francisco. This has been done and it has taken a great deal of time and effort from both community organizations and the City Attorney's Office, mainly through Phil Ward, who is here this evening representing the City Attorney. This voluntary settlement agreement has been reviewed by the Chief of Police and staff, by the Mayor's office staff and by the plaintiffs. At this point I would like to turn the matter over to Mr. Phil Ward of the City Attorney's Office to have his insight and then also to the plaintiffs, Mr. Roberto Hernandez who will speak in favor of it, and also Lt. Thorsen of Community Relations Division to insure that the settlement is indeed that which insures the highest degree of utility and police services in this area."

Mr. Phil Ward: "Thank you, Mr. President. As you stated, we have had a lawsuit on file having to do with problems in the Mission District since December of 1979. Recently the magistrate by whom the case was decided in Federal Court suggested that the matter should better be resolved by voluntary agreement of the parties rather than litigating the case in the Federal District Court and producing the usual tensions and byproducts of litigation. It would not be particularly conclusive to settling the police/community relations issues which gave rise to the lawsuit. In the first place. Therefore, the magistrate tentatively dismissed the complaint at that time with the understanding that the City would attempt to get together with the plaintiffs to come up with an agreement which would not be court supervised nor court enforced but which would in the good faith of the parties be attempted by both sides to resolve the situations that had confronted both the community representatives and the City back in 1979 and for some period thereafter. We then went to the negotiations and drafted a variety of documents. We have, I believe, arrived at a proposal which is acceptable to all parties to the lawsuit in which I feel should be implemented and will contribute toward the elimination of some of these difficulties, at least the amelioration of problems that gave rise to the lawsuit. Here is the document with the voluntary settlement agreement which I believe the Commission has reviewed, as has the Office of the Mayor, the staff of the Police Department up to the Chief's level, and it has also been reviewed by representatives of the plaintiff's class as well."

Dr. Sanchez: "What I would like to do at this time is ask Mr. Hernandez, who is here on behalf of the plaintiffs, to add any comments he feels are appropriate and ask him to execute the document and then, after Mr. Hernandez, ask Lieutenant Thorsen on behalf of the Police/Community Relations Division if he would like to add any comments. Thereafter, I think it would be appropriate to then ask that a vote be taken by the Commission authorizing the President to accept the document on behalf of the Police Commission. That leaves us with one signature, Mr. Fernando Cosio representing the community organizations. He is out of the country, but we have received his assurance that upon his return, he will sign this document and that will resolve the lawsuit once and for all and permit us to go forward with the good intentions that are embodied in the document."

The following people then spoke on the issue.

Mr. Roberto Hernandez then approached the microphone and said, "We have worked very closely with Mr. Phil Ward and I would like to take the opportunity to thank him and I would like to thank a lot of people from the community who are not here today who have done a lot of hard work to get this matter resolved. I think that out of the lawsuit that we filed we will be able to get the Police Community Relations Unit reactivated and I think that Lieutenant Thorsen is doing an excellent job and we are very pleased with some of the officers who are assigned to the unit and we hope that in the future through this document we will be able to work out some of the problems that still do exist."

Mr. Jose Ruiz and Lieutenant Tim Thorsen, Community Relations, also spoke on the issues after which Commissioner Sanchez said, "I would like to add something too, after listening, and that is there has been a great deal of sacrifice by a great many people involved in this voluntary settlement and this is a major step to say that law enforcement services in the Mission District of San Francisco will be held accountable at all levels and as stated there are always areas that will be improved but the avenue for communication unfortunately was not there at that point in time." He then called for a vote on the document and the following resolution was adopted:

RESOLUTION NO. 708-82

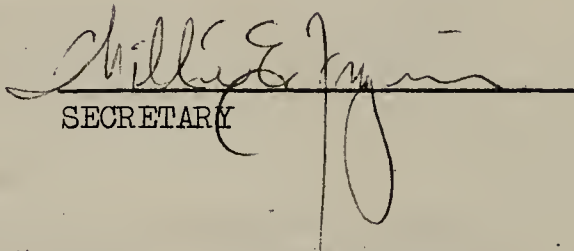
SETTLEMENT OF THE CLAIM OF HERNANDEZ VS. FEINSTEIN -
USDC NO. C 79 3664

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Hernandez vs. Feinstein, USDC No. C 79 3664, be, and the same is hereby approved.

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

The Commission then adjourned its meeting at
6:10 p.m.


SECRETARY

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8 SEPTEMBER 1982

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, September 8, 1982 at 1700 hours.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

RESOLUTION NO. 723-82

POLICE OFFICER ROBERT C. MULRY, COMMUNICATIONS
DIVISION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Robert C. Mulry, Communications Division, as follows:

SPECIFICATION NO. 1

Failure to report for duty at the time and place required by assignment (violation of Rule A-4 of General Order D-1 of the San Francisco Police Department).

SPECIFICATION NO. 2

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Robert C. Mulry, Communications Division, is set for Wednesday, September 15, 1982, at 1700 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 720-82

HEARING OF POLICE OFFICER TEDDY M. QUERUBIN, MISSION
STATION - CONTINUED FROM MEETING OF WEDNESDAY, AUGUST 11,
1982

WHEREAS, the hearing of Police Officer Teddy M. Querubin, Mission Station, was called it having been set for this date; and

WHEREAS, it has been requested by Ms. Janice Musante, attorney for Police Officer Teddy M. Querubin that the matter be continued to September 22, 1982; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Teddy M. Querubin, Mission Station, is continued to Wednesday, September 22, 1982, at 1700 hours, in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

HEARING OF POLICE OFFICER BRUCE O. POWELL, COMMUNITY RELATIONS UNIT

The hearing of Police Officer Bruce O. Powell, Community Relations Unit, was called it having been set for this date. Police Officer Bruce O. Powell was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Drinking intoxicating liquor while on duty (violation of Section B-1 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to devote his entire on-duty time to his police duties (violation of Section A-1 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 3

Leaving his assigned duty post without permission (violation of Section B-6 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 4

Engaging in conduct which reflects discredit upon the department (violation of Section A-9 of General Order D-1 of the San Francisco Police Department).

SPECIFICATION NO. 5

Engaging in conduct which tends to subvert the good order, efficiency, or discipline of the department (violation of Section A-9 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Police Officer Bruce O. Powell appeared in person and was represented by Ms. Janice Musante, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the Police Department.

An opening statement was made by Prosecuting Attorney Akins.

An opening statement was waived by Defense Attorney Musante.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Ms. Gale Allen, Waitress
Max's Son Restaurant
365 Gellert Boulevard
Daly, City, California

Lieutenant Timothy Thorsen
Community Relations Unit

Officer Bruce O. Powell (called by the Prosecution -
Community Relations Unit Evidence Code 776)

Lieutenant Timothy Thorsen (recalled)
Community Relations Unit

The following exhibits were entered into evidence by the Prosecution:

Exhibit A - Xerox copy of front and back of compensation request card of Officer Bruce O. Powell submitted January 25, 1982.

Exhibit B - Business card of Officer Bruce O. Powell, San Francisco Community Relations Unit.

Exhibit C - Community Relations Unit Anticipated Watch Report for January 13, 1982 to January 26, 1982.

Exhibit D - Community Relations Unit Overtime Watch Report for the pay period January 13, 1982 to January 26, 1982.

The following named witnesses appeared for the Defense, were duly sworn and testified:

Yori Wada
YMCA - Ella Hill Hutch Rec. Center
1050 McAllister Street
San Francisco, California

Larry Gray
YMCA - Ella Hill Hutch Rec. Center
1050 McAllister Street
San Francisco, California

William Hector
YMCA
1530 Buchanan Street
San Francisco, California

Donald Heisser
2222 17th Street
San Francisco, California

Closing statements were then made by both the Prosecuting and Defense Attorneys.

The Commission took the matter under submission, and then recessed from 2231 hours to 2335 hours, after which the following resolution was adopted:

RESOLUTION NO. 721-82

DECISION - HEARING OF POLICE OFFICER BRUCE O. POWELL,
COMMUNITY RELATIONS UNIT

WHEREAS, on May 19, 1982, Cornelius P. Murphy, Chief of Police, made and served charges against Police Officer Bruce O. Powell as follows:

SPECIFICATION NO. 1

- (a) At all times mentioned herein, Bruce O. Powell was and is a police officer employed by the San Francisco Police Department and assigned to the Community Relations Unit;
- (b) As a police officer, Officer Powell (hereinafter, the accused) was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;
- (c) On January 20, 1982, at or about 1500 hours and while the accused was on duty, working the 0800-1600 hour shift, the accused was present in the Max's Son Bar in Daly City, California;
- (d) The accused was observed to be drinking intoxicating liquor between 1500 and 1600 hours;
- (e) By drinking intoxicating liquor while on duty, the accused violated Section B-1 of General Order D-1 of the San Francisco Police Department which states:

"Members shall not, while on duty or while in uniform, drink intoxicating liquor, except where specifically authorized by a superior for a valid police purpose."

SPECIFICATION NO. 2

- (a) Each and every allegation contained in paragraphs (a) through (d) of Specification No. 1 are hereby incorporated by reference as though each were fully set forth herein;
- (b) The accused was not performing any police duties while at the bar;
- (c) By drinking intoxicating liquor in a bar during his on-duty hours, the accused violated Section A-1 of General Order D-1 of the San Francisco Police Department which states:

"The basic mission of the Police Department and of all its members is to protect life and property, to preserve the peace, to prevent crime, to enforce criminal laws and ordinances, and to regulate non-criminal conduct as provided by law or ordinance. Members shall, while on duty, devote their entire time to the achievement of this mission within the context of their respective assignments."

SPECIFICATION NO. 3

- (a) Each and every allegation contained in paragraphs (a) through (d) of Specification No. 1 and paragraphs (a) through (b) of Specification No. 2 are hereby incorporated by reference as though each were fully set forth herein;
- (b) The accused neither requested nor was he given permission to leave the City and County of San Francisco while on duty on January 20, 1982;
- (c) By leaving the City and County of San Francisco without permission during his tour of duty, the accused violated Section B-6 of General Order D-1 of the San Francisco Police Department which states:

"Members shall not leave their assigned duty posts while on duty, except by permission of a superior, to take police action in response to a call for police assistance in a serious matter or for personal necessity."

SPECIFICATION NO. 4 :

- (a) Each and every allegation contained in paragraphs (a) through (d) of Specification No. 1, paragraph (a) through (b) of Specification No. 2, and paragraphs (a) through (b) of Specification No. 3 are hereby incorporated by reference as though each were fully set forth herein;
- (b) In the course of his stay at the bar, the accused was observed to use profane language toward two female patrons who had refused his invitation to dance;
- (c) The accused identified himself as a police officer to a cocktail waitress and attempted to arrange a date with the cocktail waitress;
- (d) When the cocktail waitress told the accused that she didn't date customers, the accused became abusive, used profane language, and told her that he had a gun;
- (e) Later in the evening of January 20, 1982, the accused again approached the cocktail waitress, gave her one of his police department business cards, and told her to call him sometime;
- (f) The cocktail waitress informed the bar's bouncer about the accused's conduct;
- (g) The bouncer knew the accused was a police officer because he had asked the accused for identification on a prior occasion;
- (h) By using profane language toward bar patrons and by being abusive and using profane language toward the cocktail waitress, the accused engaged in unofficerlike conduct which reflects discredit upon the department and which is a violation of Section A-9 of General Order D-1 of the San Francisco Police Department which states:

SPECIFICATION NO. 5

- (a) Each and every allegation contained in paragraphs (a) through (d) of Specification No. 1, paragraphs (a) through (b) of Specification No. 2, paragraphs (a) through (b) of Specification No. 3, and paragraphs (a) through (g) of Specification No. 4, are hereby incorporated by reference as though each were fully set forth herein;
- (b) On January 25, 1982, the accused submitted an overtime card for one hour overtime worked on January 20, 1982;
- (c) On the overtime card, the accused listed his duty hours as 0900-1700 and that the overtime worked was from 0800-0900 on January 20, 1982;
- (d) The accused was in fact working the 0800-1600 hour watch on January 20, 1982;
- (e) There were no legitimate grounds for the accused to submit an overtime card for work on January 20, 1982;
- (f) By drinking intoxicating liquor while on duty, by failing to devote his entire on-duty time to police duties, by leaving the City and County of San Francisco during his tour of duty without permission, and by submitting an overtime card without performing overtime duty, the accused has engaged in unofficerlike conduct which tends to subvert the good order, efficiency, and discipline of the department and which violates Section A-9 of General Order D-1 of the San Francisco Police Department which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department, or any member thereof that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficerlike conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, September 8, 1982 and on Wednesday, September 8, 1982 the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Bruce O. Powell as contained in Specification No. 1, Section B-1 of General Order D-1 and Specification No. 5, Section A-9 of General Order D-1 are not sustained by evidence presented at the hearing; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Bruce O. Powell as contained in Specification No. 2, Section A-1 of General Order D-1, Specification No. 3, Section B-6 of General Order D-1, and Specification No. 4, Section A-9 of General Order D-1 are sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Bruce O. Powell has violated Specification No. 2, Section A-1 of General Order D-1, Specification No. 3, Section B-6 of of General Order D-1, and Specification No. 4, Section A-9 of General Order D-1 of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violations Police Officer Bruce O. Powell, Community Relations Unit, shall be suspended for ninety (90) working days, sixty (60) of which shall not be imposed, on condition that Officer Powell be suspended for 30 working days without pay commencing on Monday, September 13, 1982, at 0001 hours and terminating on Friday, October 22, 1982, at 2400 hours, and further, Officer Powell shall satisfactorily complete a one-year period of participation in the Police Department's Stress Program and upon satisfactory completion the sixty (60) days' suspension held in abeyance shall be dismissed.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

(The entire proceedings were taken in shorthand form by Bonnie Mortley, CSR).

HEARING OF POLICE OFFICER WILLIE J. CUNNINGHAM, NORTHERN STATION

The hearing of Police Officer Willie J. Cunningham, Northern Station, was called it having been set for this date. Police Officer Willie J. Cunningham was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Engaging in conduct which reflects discredit upon the department (violation of Section A-9 of General Order D-1 of the San Francisco Police Department).

SPECIFICATION NO. 2

Failure to maintain himself in a fit condition to perform police duties (violation of Section A-3 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Police Officer Willie J. Cunningham appeared in person and was represented by Ms. Janice Musante, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department.

An opening statement was made by Mr. Jerry Akins, Prosecutor.

An opening statement was not made by Ms. Janice Musante.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Officer Garry Olmstead - Union City Police Department

Officer Willie J. Cunningham - Northern Station (Called by the Prosecution under Section 776 of the Evidence Code).

Sergeant Victor Rykoff - Internal Affairs Division

The following witness appeared for the Defense, was sworn and testified:

Officer Willie J. Cunningham, Northern Station

Closing statements were then made by both the Prosecuting and Defense Attorneys.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 719-82

DECISION - HEARING OF WILLIE J. CUNNINGHAM, NORTHERN STATION

WHEREAS, on May 26, 1982, Cornelius P. Murphy, Chief of Police, made and served charges against Police Officer Willie J. Cunningham, as follows:

SPECIFICATION NO. 1

- (a) At all times herein mentioned, Willie J. Cunningham, Star No. 508, was and is a police officer employed by the San Francisco Police Department and assigned to Northern Station;
- (b) As a police officer, Officer Cunningham (hereinafter the accused) was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;
- (c) On March 13, 1982, at or about 1219 hours, a Union City police officer was dispatched to the 31000 block of Santa Maria Drive in Union City, California, to investigate a complaint that a black male in his forties, displaying a badge and possessing a handgun was pounding on a resident's door;

- (d) Upon arriving in the 31000 block of Santa Maria Drive, the officer observed the accused who matched the description given by dispatch;
- (e) The officer observed the accused to be standing near the porch area of a residence talking with another male;
- (f) The officer exited his patrol car and, together with another Union City police officer who had arrived at the scene, approached the accused;
- (g) As the officers approached the accused, they observed the handle of handgun partially covered by the jacket the accused was wearing;
- (h) One of the officers told the accused not to move, and as one officer removed an automatic pistol from the accused, the other officer removed a wallet from the accused's shirt pocket;
- (i) The wallet contained the accused's San Francisco Police identification;
- (j) The officers observed that the accused had alcoholic breath and could not clearly explain his activities on Santa Maria Drive;
- (k) The officers placed the accused in a patrol car and one of the officers drove the accused to the accused's residence in Union City;
- (l) Upon reaching the accused's home, the officer returned the accused's handgun and told the accused to remain at home until he was fully recovered;
- (m) By engaging in conduct which required the intervention of the Union City Police Department, the accused engaged in conduct which reflects discredit upon the department and which violated Section A-9 of General Order D-1 of the San Francisco Police Department which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

SPECIFICATION NO. 2

- (a) Each and every allegation contained in paragraphs (a) through (l) of Specification No. 1 are hereby incorporated by reference as though each were fully set forth herein;

- (b) When the Union City Officers came in contact with the accused, both officers observed that the accused had alcoholic breath;
- (c) Because the officers believed the accused was intoxicated, the accused was placed in a patrol car and taken to his (the accused's) residence;
- (d) By failing to maintain himself in a fit condition to perform police duties, the accused violated Section A-3 of General Order D-1 of the San Francisco Police Department which states:

"Officers shall, while carrying a firearm off-duty, or while acting in the capacity of a peace officer, maintain themselves in a fit condition to perform police duties."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, September 8, 1982, and on Wednesday, September 8, 1982 the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Willie J. Cunningham as contained in Specification No. 1, Section A-9 of General Order D-1 of the San Francisco Police Department are sustained by the evidence presented at the hearing; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Willie J. Cunningham as contained in Specification No. 2, Section A-3 of General Order D-1 of the San Francisco Police Department are not sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Willie J. Cunningham has not violated Specification No. 2, Section A-3 of General Order D-1 of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Willie J. Cunningham has violated Specification No. 1, Section A-9 of General Order D-1 of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violation Police Officer Willie J. Cunningham is hereby reprimanded and ordered to join the San Francisco Police Department's Stress Program for one year, with reports on his progress to be submitted to the Police Commission at six-month intervals.

AYES: Commissioners Daly, Toler, Nelder,
Murphy, Sanchez

(The entire proceedings were taken in shorthand form by Bonnie Mortley, CSR).

RESOLUTION NO. 722-82

POLICE OFFICER BOB C. DAVIS, MISSION POLICE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Bob C. Davis, Mission Station, as follows:

SPECIFICATION NO. 1

Failure to prevent crime (violation of Rule A-1 of General Order D-1 of the San Francisco Police Department).

SPECIFICATION NO. 2

Engaging in conduct which reflects discredit upon the department and which tends to subvert the good order, efficiency, or discipline of the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by George Eimil, Acting Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Bob C. Davis is set for Wednesday, September 15, 1982, at 1700 hours, Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 724-82

POLICE OFFICER ALEXANDER LUKIN, CENTRAL STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Alexander Lukin, Central Station, as follows:

SPECIFICATION NO. 1

Unauthorized use of department property (violation of Rule A-23 of General Order D-1 of the San Francisco Police Department).

SPECIFICATION NO. 2

Engaging in conduct which tends to subvert the good order, efficiency, or discipline of the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Alexander Lukin, Central Station, is set for Wednesday, September 15, 1982, at 1700 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

15 SEPTEMBER 1982

EXECUTIVE SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Wednesday, September 15, 1982 at 1630 hours in Executive Session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

1. Attorney-Client Conference

No vote was taken.

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15 SEPTEMBER 1982

REGULAR SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Wednesday, September 15, 1982 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

RESOLUTION NO. 739-82

SETTING OF DATE FOR HEARING OF POLICE OFFICER ROBERT C. MULRY, COMMUNICATIONS DIVISION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Robert C. Mulry, Communications Division, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, Prosecuting Attorney for the San Francisco Police Department, that the date for the hearing before the Police Commission be set for September 29, 1982; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Robert C. Mulry is set for Wednesday, September 29, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 731-82

SETTING OF DATE FOR HEARING OF POLICE OFFICER BOB C. DAVIS, MISSION STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Bob C. Davis, Mission Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Police Officer Bob C. Davis, that the date for the hearing before the Police Commission be set for October 27, 1982; therefore be it

RESOLVED, that the setting of the date of the disciplinary charges filed against Police Officer Bob C. Davis is set for Wednesday, October 27, 1982, at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

SETTING OF DATE FOR HEARING OF POLICE OFFICER
ALEXANDER LUKIN, CENTRAL STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Alexander Lukin, Central Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, Prosecuting Attorney for the San Francisco Police Department, that the setting of the date for the hearing before the Police Commission be set for Wednesday, September 22, 1982; therefore be it

RESOLVED, that the setting of the date for the hearing of the disciplinary charges filed against Police Officer Alexander Lukin, Central Station, is set for Wednesday, September 22, 1982 at 5:00 p.m., Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 736-82

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF
CHARGES - APPROVED

WHEREAS, Police Officer Teddy M. Querubin, Mission Station, was suspended without pay effective 1700 hours, July 19, 1982, pending hearing of charges before the Police Commission; and

WHEREAS, Police Officer Teddy M. Querubin, Mission Station, has requested a Leave of Absence Without Pay pending hearing of the charges before the Police Commission; therefore be it

RESOLVED, that Police Officer Teddy M. Querubin, Mission Station, be placed on a Leave of Absence Without Pay at his request for a period of sixty (60) days commencing September 26, 1982, until his hearing is held before the Police Commission, be, and the same is hereby approved.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 737-82

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF CHARGES - APPROVED

WHEREAS, Police Officer Michael L. Hughes, Muni Transit Division, was suspended without pay effective 1700 hours, Thursday, July 22, 1982, pending hearing of charges before the Police Commission; and

WHEREAS, Police Officer Michael L. Hughes, Muni Transit Division, has requested a Leave of Absence Without Pay pending hearing of the charges before the Police Commission; therefore be it

RESOLVED, that Police Officer Michael L. Hughes, Muni Transit Division, be placed on a Leave of Absence Without Pay at his request for a period of sixty (60) days commencing September 24, 1982, until his hearing is held before the Police Commission, be, and the same is hereby approved.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

SETTING OF DATE FOR THE POLICE COMMISSION TO MEET IN THE MISSION DISTRICT FOR THE PURPOSE OF RECEIVING INFORMATION FROM THE RESIDENTS AS TO LAW ENFORCEMENT CONCERNS THEY SHARE AND SUGGESTIONS AS TO IMPROVING DELIVERY OF POLICE SERVICES AS WELL AS TO PROMOTE GOOD POLICE/COMMUNITY RELATIONS - CONTINUED TO NOVEMBER 10, 1982, MISSION DISTRICT

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

540 BALBOA STREET - KOREAONE SAN FRANCISCO BRANCH

a) At 540 Balboa Street install 25' green zone, extending from the east property line 25' west of same.

920 SACRAMENTO STREET - MEI LUN YUEN INC.

a) At 920 Sacramento Street, install 40' yellow zone, extending from Joice Alley 40' east of same.

915 SACRAMENTO STREET - MEI LUN YUEN, INC.

a) At 915 Sacramento Street, install 44' white zone extending from the east end of driveway 44' east of same.

700 STOCKTON STREET - MEI LUN YUEN INC.

- a) At 700 Stockton Street, install 22' white zone extending from 30' to 52' south of Sacramento.

3801 SACRAMENTO STREET - CHILDREN'S HOSPITAL

- a) At 3801 Sacramento Street, install 44' white zone from 34' to 78' west of Maple.

1700 15TH STREET - FLOWERS FOR ALL SEASONS

- a) At 1700 15th Street, install 40 yellow zone extending from 6' to 46' west of Valencia - 16' red zone between driveways for clearance from 70' to 86' west of Valencia.

2960 16TH STREET - AN AFFAIR WITH FLOWERS

- a) At 2960 16th Street, Revoke 22' yellow zone extending from the east eand of 2960 16th Street, 22' west, Replace with 22' green zone from the east end of 2960 16th Street, 22' west of same.

1116 FOLSOM STREET - S.F.P.D. - REVOKED

- a) At 1116 Folsom Street, revoke existing 19' green zone from 19' to 38' east of Langton.

1116 FOLSOM STREET - S.F.P.D. - REVOKED

- a) At 1116 Folsom Street, revoke existing 40' yellow zone from west of the east line.

95 LANGTON STREET - S.F.P.D. - REVOKED

- a) At 95 Langton Street, revoke existing 76' yellow zone from north from Folsom Street.

2727 MARKET STREET - S.F.P.D. - REVOKED

- a) At 2727 Market Street, revoke existing 16' yellow zone from 45' to 61' west of Eureka Street.

1821 BAKER STREET - S.F.P.D. - REVOKED

- a) At 1821 Baker Street, revoke existing 18' green zone north of the south building line.

#1-19 ROLPH STREET - S.F.P.D. - REVOKED

- a) At #1-19 Rolph Street, revoke existing 38' yellow zone from 15' to 53' west of the east property line.

2210 JACKSON STREET - S.F.P.D. - REVOKED

- a) At 2210 Jackson Street, revoke existing 30' white zone from in between the driveways.

300 SANTA ROSA STREET - S.F.P.D. - REVOKED

- a) At 300 Santa Rosa Street, revoke 20' yellow zone from 4' to 24' west of San Jose Avenue.

405 8TH AVENUE - S.F.P.D. - REVOKED

- a) At 405 8th Avenue, revoke existing 33' yellow zone from 46' to 79' south of Geary Boulevard.

2833 25TH STREET - S.F.P.D. - REVOKED

- a) At 2833 25th Street, revoke existing 24' yellow zone from 30' to 54' east of Hampshire Street.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 314 feet of red, green and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 734-82

JERRY THOMAS AND MEREDITH THOMAS

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Jerry Thomas and Meredith Thomas vs. the City and County of San Francisco, in the sum of \$2,100.00 in Municipal Court Action No. 825-070, entitled, "Jerry Thomas and Meredith Thomas vs. Dianne Jean McKeivitt, City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 3, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 734-82

PHILIP J. MCGINN

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Philip J. McGinn in the sum of \$5,000.00 in Superior Court Action No. 781-348, entitled, "Philip J. McGinn vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 24, 1980

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 728-82

AUTHORIZING ATTENDANCE OF SERGEANT JOHN CURRIE AND OFFICERS HEATHER FONG AND FRANK MCDONAGH, PHYSICAL TRAINING INSTRUCTORS AT THE POLICE ACADEMY, AT THE WEAPONLESS DEFENSE INSTRUCTOR (DEFENSIVE TACTICS INSTRUCTOR) COURSE AT SANTA ROSA, CALIFORNIA FROM OCTOBER 4, 1982 TO OCTOBER 15, 1982

RESOLVED, that the recommendation of the Chief of Police that Sergeant John Currie and Officers Heather Fong and Frank McDonagh, Physical Training Instructors at the Police Academy, be detailed to attend the Weaponless Defense Instructor (Defensive Tactics Instructor) course, conducted by the Northern California Criminal Justice Training and Education System in Santa Rosa, California from October 4, 1982 to October 15, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Sergeant Currie and Officers Fong and McDonagh in a sum not to exceed \$552.00 each will be defrayed by P.O.S.T.

AYES: Commissioners Daly, Toler, Nelder,
Murphy, Sanchez

(8) AUTHORIZING ATTENDANCE OF SERGEANT/INSPECTOR J. PETER OTTEN AND INSPECTORS ROBERT HUEGLE, MARGARET HARTMANN AND GARY LEMOS, SEX CRIMES DETAIL, AT THE CALIFORNIA SEXUAL ASSAULT INVESTIGATORS TRAINING CONFERENCE IN FRESNO, CALIFORNIA FROM SEPTEMBER 29, 1982 TO OCTOBER 1, 1982

RESOLVED, that the recommendation of the Chief of Police that Sergeant/Inspector J. Peter Otten and Inspectors Robert Huegle, Margaret Hartmann and Gary Lemos, Sex Crimes Detail, be detailed to attend the California Sexual Assault Investigators Training Conference in Fresno, California from September 29, 1982 to October 1, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Sergeant/Inspector Otten and Inspectors Huegle, Hartmann and Lemos in a sum not to exceed \$245.00 each will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Toler, Nelder,
Murphy, Sanchez

AUTHORIZING ATTENDANCE OF SERGEANT/INSPECTOR ALEXANDER STEVENS, LEGAL OFFICE, AT THE FEDERAL BUREAU OF INVESTIGATION NATIONAL ACADEMY IN QUANTICO, VIRGINIA FROM OCTOBER 3, 1982 TO DECEMBER 17, 1982

RESOLVED, that the recommendation of the Chief of Police that Sergeant/Inspector Alexander Stevens, Legal Office, be detailed to attend the Federal Bureau of Investigation National Academy in Quantico, Virginia from October 3, 1982 to December 17, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Sergeant/Inspector Alexander Stevens, excluding travel expenses which are to be paid by the U.S. Department of Justice, in the amount of \$800.00 be defrayed by the Department Training Fund to supplement the minimal allowance for subsistence.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 729-82

AUTHORIZING ATTENDANCE OF EIGHT (8) MEMBERS OF THE TACTICAL DIVISION AT A SPECIAL WEAPONS AND TACTICS REFRESHER TRAINING COURSE AT FORT ORD, MONTEREY, CALIFORNIA FROM SEPTEMBER 21, 1982 TO SEPTEMBER 22, 1982

RESOLVED, that the recommendation of the Chief of Police that eight (8) officers from the Tactical Division be detailed to the Special Weapons and Tactics Refresher Training Course to be conducted by the Federal Bureau of Investigation at Fort Ord, Monterey, California from September 21, 1982 to September 22, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by the eight (8) officers in a sum not to exceed \$125.00 each will be defrayed by P.O.S.T.

AYES: Commissioners Daly, Toler, Nelder, Murphy Sanchez

RESOLUTION NO. 730-82

AUTHORIZING ATTENDANCE OF NINE (9) MEMBERS OF THE TACTICAL DIVISION AT A SPECIAL WEAPONS AND TACTICS REFRESHER TRAINING COURSE AT FORT ORD, MONTEREY, CALIFORNIA FROM SEPTEMBER 28, 1982 TO SEPTEMBER 29, 1982

RESOLVED, that the recommendation of the Chief of Police that nine (9) members of the Tactical Division be detailed to the Special Weapons and Tactics Refresher Training Course to be conducted by the Federal Bureau of Investigation at Fort Ord, Monterey, California from September 28, 1982 to September 29, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by the nine (9) members in a sum not to exceed \$125.00 each will be defrayed by P.O.S.T.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RECEIPT OF DEPARTMENT GENERAL ORDER N-1, "NIGHT OPERATIONS COMMANDER DUTIES" - CONTINUED TO OCTOBER 13, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 740-82

POLICE ACADEMY CAFETERIA CONTRACT - APPROVED

WHEREAS, the San Francisco Police Department provides an Academy; and

WHEREAS, a need exists for a cafeteria service at the Police Academy; and

WHEREAS, Mr. Keith Mason is willing to provide this service; now therefore be it

RESOLVED, the Police Commission does hereby authorize the Chief of Police to enter into a contract with Mr. Keith Mason to provide cafeteria service at the Police Academy.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 738-82

PROPOSED LEGISLATIVE CHANGES - AMENDMENT TO THE PENAL CODE

WHEREAS, persons convicted of sex offenses may be sent to serve sentences at the California Youth Authority; and

WHEREAS, the persons who are released from the California Youth Authority are not now required to register with the Chief of Police as a convicted sex offender; therefore be it

RESOLVED, the Police Commission hereby requests the Honorable Board of Supervisors to memorialize a change in the State Penal Code to the California State Legislature.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 741-82

DEPARTMENT GENERAL ORDER F-2 - EMERGENCY OPERATION OF POLICE VEHICLES - APPROVED

RESOLVED, that the Police Commission hereby adopts the revised version of Department General Order I-12, Hazardous Material Incident.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

CONTINUATION OF THE HEARING OF POLICE OFFICER THOMAS ARGO, MISSION STATION

The matter of the hearing of Police Officer Thomas Argo, Mission Station, was called it having been continued from the meeting of August 25, 1982.

Police Officer Thomas Argo appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Jerry Akins appeared on behalf of the San Francisco Police Department and made an opening statement.

The following witnesses were called by the Prosecution, were sworn and testified:

Retired Air Force Captain Richard Hummell
50 Benego Terrace #4
San Francisco, California

Mr. James Phillip Hance
Law Student - University of San Francisco

After listening to testimony from the above parties, the Commission then adjourned at 1940 hours and the matter was continued to Wednesday, September 22, 1982 at 1700 hours, Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

(The entire proceedings were taken in shorthand form by Hearing Reporter Bonnie Mortley, CSR).

CONTINUATION OF THE HEARING OF POLICE OFFICER STEVE MARQUEZ, TARAVAL STATION

The matter of the hearing of Police Officer Steve Marquez, Taraval Station, was called it having been continued from the meeting of August 25, 1982.

Police Officer Steve Marquez appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Jerry Akins appeared on behalf of the San Francisco Police Department and made an opening statement.

The following witnesses were called by the Prosecution, were sworn and testified:

Retired Air Force Captain Richard Hummell
50 Benego Terrace #4
San Francisco, California

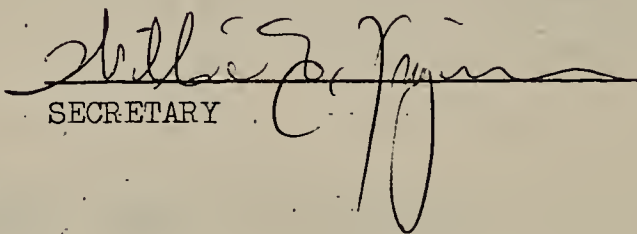
Mr. James Phillip Hance
Law Student - University of San Francisco

After listening to testimony from the above parties, the Commission then adjourned at 1940 hours and the matter was continued to Wednesday, September 22, 1982 at 1700 hours, Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

(The entire proceedings were taken in shorthand form by Hearing Reporter, Bonnie Mortley, CSR)

The Police Commission then adjourned its meeting
at 7:40 p.m.


SECRETARY

22 SEPTEMBER 1982

REGULAR SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Wednesday, September 15, 1982 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Murphy

ABSENT: Commissioners Sanchez, Toler

Commissioner Murphy presiding.

DOCUMENTS DEPT.

RESOLUTION NO. 745-82

DANIEL MACCHIARINI

JAN 3 1983

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RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Daniel Macchiarini against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 21, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 746-82

TOSHIKAZU INOUE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Toshikazu Inoue against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 20, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 747-82

JAMES WONG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James Wong against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 20, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 748-82

RONALD P. ROSS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ronald P. Ross against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 16, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 749-82

HARESH GIDWANI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Haresh Gidwani against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 15, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 750-82

VICTORIA TAPIA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Victoria Tapia against the City and County of San Francisco in the sum of \$64.40 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 23, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 751-82

SHIRLEY M. CHASE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Shirley D. Chase against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 25, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 752-82

EDUARDO FARIAS MODESTO De ALMEIDA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Eduardo Farias Modesto de Almeida against the City and County of San Francisco in the sum of \$77.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 16, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 753-82

ROBERT F. DUSSAULT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert F. Dussault against the City and County of San Francisco in the sum of \$40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 4, 1981

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 754-82

CATHERINE DUGGAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Catherine Duggan against the City and County of San Francisco in the sum of \$18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 2, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 755-82

MERCY YOUNG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mercy Young against the City and County of San Francisco in the sum of \$68.40 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 11, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 756-82

JENNIFER HIRSCH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jennifer Hirsch against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 2, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 757-82

HELEN L. POPE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Helen L. Pope against the City and County of San Francisco in the sum of \$59.20 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 20, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 758-82

JESSIE GAYLE FOX

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jessie Gayle Fox against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 16, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 759-82

LAWRENCE N. MEIER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lawrence N. Meier against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 10, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 760-82

NIALL B. MacCORMACK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Niall B. MacCormack against the City and County of San Francisco in the sum of \$59.20 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 12, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 761-82

KATHERINE BRUUN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Katherine Bruun against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 20, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 762-82

MARCOS OCAMPO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marcos Ocampo against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 27, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 763-82

ABC TOWING & STORAGE CO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing & Storage Co. against the City and County of San Francisco in the sum of \$77.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 6, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 764-82

ABC TOWING & STORAGE CO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing & Storage Co. against the City and County of San Francisco in the sum of \$77.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 11, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 765-82

ABC TOWING & STORAGE CO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing and Storage Co. against the City and County of San Francisco in the sum of \$27.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 19, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 766-82

ABC TOWING & STORAGE CO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing & Storage Co. against the City and County of San Francisco in the sum of \$77.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 5, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 767-82

LEONID M. ZARETSKY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Leonid M. Zaretsky against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 16, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 768-82

JAMES MIRKOVICH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James Mirkovich against the City and County of San Francisco in the sum of \$40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 21, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 769-82

PATRICIA ANN THORNTON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Patricia Ann Thornton against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 21, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 770-82

CLAUDIA WINGROVE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Claudia Wingrove against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 28, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 771-82

LORI JO GLADDEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lori Jo Gladden against the City and County of San Francisco in the sum of \$174.80 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 11, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 772-82

BUDGET RENT-A-CAR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Budget Rent-A-Car against the City and County of San Francisco in the sum of \$221.69 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 24, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 773-82

EILEEN MARIE SPRING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Eileen Marie Spring against the City and County of San Francisco in the sum of \$86.80 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 21, 1982

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 743-82

POLICE NARCOTIC FUND - APPROVED

RESOLVED, that the Controller be and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy in the amount of \$6,000.00 charging same to Index Code 580217 as an advance on the Police Narcotic Fund for the month of September, 1982.

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 774-82

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller be and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy in the amount of \$4,000.00 charging same to Index Code 580217 as an advance on the Police Contingent Fund for the month of September, 1982.

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 775-82

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Officer Daniel McDonagh)		(Chemical Agents'
Officer Edgar Springer)	\$191.00 each	(Instructors' Course
Officer Mark Potter)		(Gilroy, California
		(08/31/82 - 09/02/82

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 776-82

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Officer Joseph Zamagni)		(P.O.S.T. Driver
Officer Gabriel Harp)	\$664.70 each	(Training Instructors
Officer Alan Bernardi)		(Course
		(Sonoma, California
		(09/10/82 - 09/12/82

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 778-82

AUTHORIZING ATTENDANCE OF SERGEANT/INSPECTORS JAY WALLACE AND FRED GROVEN AND SERGEANT DANIEL O'LEARY, INTERNAL AFFAIRS DIVISION, AT THE INTERNAL AFFAIRS SEMINAR AT HUNTINGTON BEACH, CALIFORNIA FROM OCTOBER 25, 1982 TO OCTOBER 27, 1982

RESOLVED, that the recommendation of the Chief of Police that Sergeant/Inspectors Jay Wallace and Fred Groven and Sergeant Daniel O'Leary, Internal Affairs Bureau, be detailed to attend an Internal Affairs Seminar in Huntington Beach, California from October 25, 1982 to October 27, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the Sergeant/Inspectors Wallace, Groven and Sergeant O'Leary, Internal Affairs Bureau, in a sum not to exceed \$418.00 each will be defrayed by P.O.S.T.

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 777-82

AUTHORIZING ATTENDANCE OF SERGEANT/INSPECTORS THOMAS EISENMANN AND DUANE OTIS, JUVENILE DIVISION AT A TRAINING WORKSHOP PRESENTED BY THE FORENSIC MENTAL HEALTH ASSOCIATES IN SAN FRANCISCO ON OCTOBER 8, 1982

RESOLVED, that the recommendation of the Chief of Police that Sergeant/Inspectors Thomas Eisenmann and Duane Otis, Juvenile Division, be detailed to attend a training workshop, The Male Victim of Sexual Assault and the Juvenile Sexual Offender, presented by Forensic Mental Health Associates in San Francisco, California on October 8, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant/Inspectors Eisenmann and Otis, Juvenile Division, in a sum not to exceed \$35.00 each, will be defrayed from the San Francisco Police Department's Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 779-82

POLICE OFFICER JEFFREY A. WILLIAMS, MISSION STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Jeffrey A. Williams, Mission Station, as follows:

SPECIFICATION NO. 1

Failure to prevent crime (violation of Rule A-1 of General Order D-1 of the San Francisco Police Department).

SPECIFICATION NO. 2

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department and which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Jeffrey A. Williams, Mission Station, is set for Wednesday, September 29, 1982, at 1700 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 780-82

SETTING OF DATE FOR HEARING OF POLICE OFFICER ALEXANDER LUKIN, CENTRAL STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Alexander Lukin, Central Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. John Prentice, attorney for Police Officer Alexander Lukin, that the date for the hearing before the Police Commission be set for November 3, 1982; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Alexander Lukin is set for Wednesday, November 3, 1982, at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 781-82

SETTING OF DATE FOR HEARING OF POLICE OFFICER TEDDY M. QUERUBIN, MISSION STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Teddy M. Querubin, Mission Station, was called it having been set for this date; and

WHEREAS, it was requested by Ms. Janice Musante, attorney for Police Officer Teddy M. Querubin, that the date for the setting of the hearing before the Police Commission be set for October 20, 1982; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Teddy M. Querubin is set for Wednesday, October 20, 1982 at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 782-82

SETTING OF DATE FOR HEARING OF POLICE OFFICER TEDDY M. QUERUBIN, MISSION STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Teddy M. Querubin, Mission Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, Attorney for the San Francisco Police Department,

that the date for the setting of the hearing before the Police Commission be set for October 20, 1982; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Teddy M. Querubin is set for Wednesday, October 20, 1982 at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 783-82

HEARING OF POLICE OFFICER THOMAS ARGO, MISSION STATION - CONTINUED FROM MEETING OF WEDNESDAY, SEPTEMBER 15, 1982

WHEREAS, the hearing of Police Officer Thomas Argo, Mission Station, was called it having been set for this date; and

WHEREAS, it has been requested by Mr. Stephen Bruce Bley, attorney for Officer Thomas Argo, that the matter be continued to October 13, 1982; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Thomas Argo, Mission Station, is continued to Wednesday, October 13, 1982, at 5:00 p.m., Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 784-82

HEARING OF POLICE OFFICER STEVE MARQUEZ, TARAVAL STATION - CONTINUED FROM MEETING OF SEPTEMBER 15, 1982

WHEREAS, the hearing of Police Officer Steve Marquez, Taraval Station, was called it having been set for this date; and

WHEREAS, it has been requested by Mr. Stephen Bruce Bley, attorney for Police Officer Steve Marquez, that the matter be continued to October 13, 1982; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Steve Marquez, Taraval Station, is continued to Wednesday, October 13, 1982, at 5:00 p.m., Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 744-82

HEARING OF POLICE OFFICER PATRICK E. MURPHY, NORTHERN STATION

The hearing of Police Officer Patrick E. Murphy, Northern Station, was called it having been set for this date. Police Officer Murphy was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Engaging in conduct which reflects discredit upon the department (violation of Section A-9 of General Order D-1 of the San Francisco Police Department.)

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Police Officer Patrick E. Murphy appeared in person and was represented by Ms. Janis Musante, Attorney at Law.

Mr. Michael Gash, Attorney at Law, appeared as the Prosecutor for the Police Department.

Opening statements were made by both the Prosecuting and Defense Attorneys.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Mr. Craig Hammond
2033-A 22nd Street
San Francisco, Ca. 94107

Mr. Bland Cannon
22 Battery Street #11
San Francisco, Ca.

Sergeant Ronald Kiel
Park Police Station

The following witnesses appeared for the Defense, were sworn and testified:

Sergeant Frank J. Hutchins
San Francisco Sheriff's Department

Officer Charles Simpson
Northern Station

Officer Jeffrey Rolph
Northern Station

Officer Robert Srock
Northern Station

Officer Thomas Newlin
Northern Station

Officer Dennis J. Quinn
Northern Station

Officer Jessie L. Myrick
Northern Station

Officer Floyd Moon
Northern Station

Officer Richard H. Aceret
Northern Station

Officer Patrick E. Murphy
Northern Station

Captain Charles Schuler
Northern Station

Sergeant Ronald Kiel was recalled by the
Prosecution in rebuttal.

The following exhibits were entered into
evidence by the Prosecution:

Exhibit A - Xerox copy of two booking
cards - Parker, Donald and Powell,
Stephen Bartlett - dated January 11, 1982

A closing statement was made by Attorney Gash.

A closing statement was made by Attorney Musante.

The Commission took the matter under submission,
after which the following resolution was adopted:

RESOLUTION NO. 744-82

DECISION - HEARING OF POLICE OFFICER PATRICK E.
MURPHY, NORTHERN STATION

WHEREAS, on May 26, 1982, Cornelius P. Murphy,
Chief of Police made and served charges against
Police Officer Patrick E. Murphy as follows:

SPECIFICATION NO. 1

- (a) At all times herein mentioned, Patrick Murphy, Star No. 2141, was and is a police officer employed by the San Francisco Police Department and assigned to Northern Station;
- (b) As a police officer, Officer Murphy (hereinafter, the accused) was and is responsible for knowing and obeying the rules, orders, and and procedures of the San Francisco Police Department;
- (c) On January 10, 1982 and January 11, 1982, the accused was on duty and working the 2300 to 0700 hours watch at Northern Station;
- (d) At or about 0130 hours on January 11, 1982, the accused was observed to assist Officer Richard Aceret, Star No. 268, in placing a prisoner in a cell at Northern Station.
- (e) In the course of placing the prisoner in the cell, the accused and Officer Aceret were observed to push the prisoner on the floor of the cell;
- (f) The accused had no lawful cause, excuse, or justification to throw the prisoner on the floor of the cell;
- (g) By throwing the prisoner on the floor

of the cell the accused engaged in unofficer-like conduct which constituted a violation of Section A-9 of General Order D-1 of the San Francisco Police Department which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, September 22, 1982 and on Wednesday, September 22, 1982 the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Patrick E. Murphy as contained in Specification No. 1, Section A-9 of General Order D-1 of the San Francisco Police Department are not sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Patrick E. Murphy has not violated Specification No. 1, Section A-9 of General Order D-1; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Patrick E. Murphy, Northern Station, shall be ordered by the Captain of Northern Station to be reinstructed at the Police Academy for whatever period of time that the Captain deems necessary for Officer Murphy to learn the correct booking procedures of the San Francisco Police Department.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

(The entire proceedings were taken in shorthand form by Bonnie Mortley, CSR).

HEARING OF POLICE OFFICER RICHARD ACERET, NORTHERN STATION

The hearing of Police Officer Richard Aceret, Northern Station, was called it having been set for this date, Police Officer Aceret was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Engaging in conduct which reflects discredit upon

the department (violation of Section A-9 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Police Officer Richard Aceret appeared in person and was represented by Ms. Janis Musante, Attorney at Law.

Mr. Michael Gash, Attorney at Law, appeared as the Prosecutor for the Police Department.

Opening statements were made by both the Prosecuting and Defense Attorneys.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Mr. Craig Hammond
2033-A 22nd Street
San Francisco, California 94107

Mr. Bland Cannon
22 Battery Street #11
San Francisco, California

Sergeant Ronald Kiel
Park Police Station

The following witnesses appeared for the Defense, were sworn and testified:

Sergeant Frank J. Hutchins
San Francisco Sheriff's Department

Officer Charles Simpson
Northern Station

Officer Jeffrey Rolph
Northern Station

Officer Robert Srock
Northern Station

Officer Thomas Newlin
Northern Station

Officer Dennis J. Quinn
Northern Station

Officer Jessie L. Myrick
Northern Station

Officer Floyd Moon
Northern Station

Officer Richard H. Aceret
Northern Station

Officer Patrick E. Murphy
Northern Station

Captain Charles Schuler
Northern Station

Sergeant Ronald Kiel was recalled by the Prosecution in rebuttal.

The following exhibits were entered into evidence by the Prosecution:

Exhibit A - Xerox copy of two booking cards - Parker, Donald and Powell, Stephen Bartlett - dated January 11, 1982.

A closing statement was made by Attorney Gash.

A closing statement was made by Attorney Musante.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 743-82

DECISION - HEARING OF POLICE OFFICER RICHARD ACERET, NORTHERN STATION

WHEREAS, on May 26, 1982, Cornelius P. Murphy, Chief of Police made and served charges against Police Officer Richard Aceret, as follows:

SPECIFICATION NO. 1

- (a) At all times mentioned herein, Richard H. Aceret, Star No. 268, was and is a police officer employed by the San Francisco Police Department and assigned to Northern Station;
- (b) As a police officer, Officer Aceret (hereinafter, the accused) was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;
- (c) On January 10, 1982 and January 11, 1982, the accused was on duty and working the 2300 to 0700 hours watch at Northern Station;
- (d) At or about 0130 hours on January 11, 1982, the accused and Officer Patrick Murphy, Star No. 2141, were observed to bring a prisoner into the holding cell at Northern Station;
- (e) The accused and Officer Murphy were observed to push the prisoner into the holding cell at Northern Station;
- (f) The accused was observed to strike the prisoner with his hands and kick the prisoner with his feet;
- (g) The accused had no lawful cause, excuse, or justification to strike or kick the prisoner;
- (h) By striking and kicking the prisoner, the accused engaged in unofficerlike conduct which constituted a violation of Section A-9 of General Order D-1 of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficerlike conduct triable and punishable by the Board."

and

WHEREAS, a hearing of said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, September 22, 1982 and on Wednesday, September 22, 1982 the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Richard Aceret as contained in Specification No. 1, Section A-9 of General Order D-1 of the San Francisco Police Department are not sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Richard Aceret has not violated Specification No. 1, Section A-9 of General Order D-1; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Richard Aceret, Northern Station, shall be ordered by the Captain of Northern Station to be reinstructed at the Police Academy for whatever period of time that the Captain deems necessary for Officer Aceret to learn the correct booking procedures of the San Francisco Police Department.

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

(The entire proceedings were taken in shorthand form by Bonnie Mortley, CSR).

RESOLUTION NO. 785-82

SERGEANT RONNEY RHOADES, PARK STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Sergeant Ronney Rhoades, Park Station, as follows:

SPECIFICATION NO. 1

Failure to comply with department weight standards (violation of Section II, Sub-section A-1 of General Order B-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police of the

San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Sergeant Ronney Rhoades, Park Station, is set for Wednesday, September 29, 1982, at 5:00 p.m., Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 786-82

POLICE OFFICER JERRY LANKFORD, VICE CRIMES DIVISION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Jerry Lankford, Vice Crimes Division, as follows:

SPECIFICATION NO. 1

Failure to prevent crime (violation of Rule A-1 of General Order D-1 of the San Francisco Police Department).

SPECIFICATION NO. 2

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department and which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Jerry Lankford, Vice Crimes Division, is set for Wednesday, September 29, 1982 at 5:00 p.m., Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy
ABSENT: Commissioners Toler, Sanchez

RESOLUTION NO. 787-82

POLICE OFFICER MARK S. PORTO, CENTRAL STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Mark S. Porto, Central Station, as follows:

SPECIFICATION NO. 1

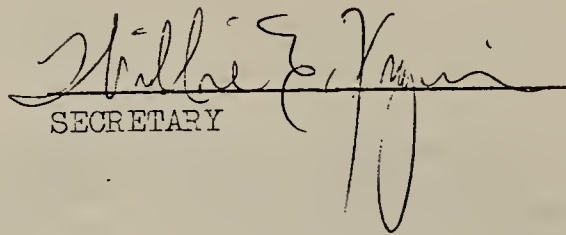
Failure to comply with department weight standards (violation of Section II, Subsection A-1 of General Order B-1 of the San Francisco Police Department).

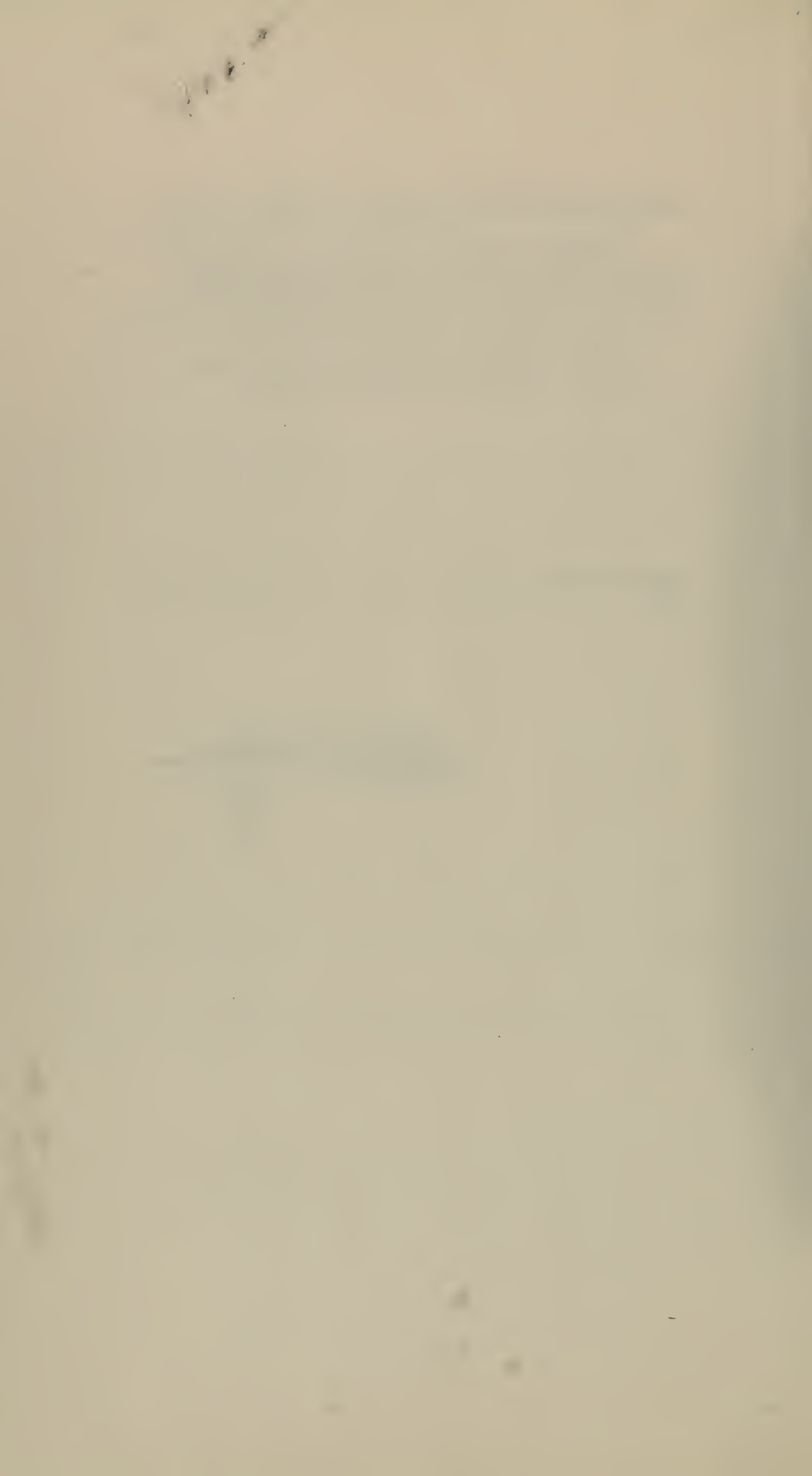
by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Mark S. Porto, Central Station, is set for Wednesday, September 29, 1982, at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy..
ABSENT: Commissioners Toler, Sanchez

The Commission then adjourned its meeting at 11:10 p.m.


SECRETARY



29 SEPTEMBER 1982

EXECUTIVE SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Wednesday, September 29, 1982, at 1630 hours in Executive Session.

PRESENT: Commissioners Daly, Nelder, Toler

ABSENT: Commissioners Murphy, Sanchez

Commissioner Nelder presiding.

1. Attorney-Client Conference

No vote was taken.

DOCUMENTS DEPT.

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29 SEPTEMBER 1982

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, September 29, 1982 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler,

ABSENT: Commissioners Murphy, Sanchez

Commissioner Nelder presiding.

The Commissioners, having received, amended and returned copies of the minutes of the meeting of August 4, 1982, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Toler

ABSENT: Commissioners Murphy, Sanchez

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of Traffic on the public streets, be, and the same are hereby approved:

4071 18TH STREET - ALOHA RECORDS

a) At 4071 18th Street, install 18' yellow zone extending from 18' to 36' east of the existing west property line of 4077-A 18th Street.

b) Remove meter 18S-4071.

2023 MISSION STREET - MISSION PLAZA MARKET

a) At 2023 Mission Street, install 18' yellow zone extending from 60' to 78' south of the north property line.

b) Remove meter MIS2017.

1019 CLEMENT STREET - STANDARD PLUMBING CO.

- a) Install 22' yellow zone extending from 11' to 32' east of the west property line of 1019 Clement Street.

101 LOMBARD STREET - 101 LOMBARD CONDO'S

- a) Install 62' white zone extending from 146' to 208' west of the east property line.

150 4TH STREET - YERBA BUENA WEST

- a) Install 52' white zone from 92' to 144' south of North property line.

939 IRVING STREET - KATHY MICHIELS SCHOOL

- a) Install 18' special passenger zone extending from the east property line, 18' west
- b) Sign to be placed on meter SPECIAL PASSENGER ZONE 8am to 7pm Monday to Friday.

180 FAIR OAKS STREET - LOS MAYORES DE CENTRO LATINO

- a) Install 22' blue zone from 9' to 31' north of the south property line on Fair Oaks Street.

1416 FRANKLIN STREET - S.F.P.D. - REVOKED

- a) At 1416 Franklin Street, revoke existing 20' yellow zone, 20' South of Fern.

1400 FRANKLIN STREET - S.F.P.D. - REVOKED

- a) At 1400 Franklin Street, revoke existing 37' yellow zone, extending 4' to 41' North of Sutter Street.

1920 41ST AVENUE - S.F.P.D. - REVOKED

- a) At 1920 41st Avenue, revoke existing 120' white zone extending from 10' to 130' south of Ortega.

1800 15TH STREET - S.F.P.D. - REVOKED

- a) At 1800 15th Street, revoke existing yellow zone extending from 15' to 33' west of Guerrero Street.

299 GUERRERO STREET - S.F.P.D. - REVOKED

- a) At 299 Guerrero Street, revoke existing 20' green zone extending from 3' to 23' north of 15th Street.

621-623 LARKIN STREET - S.F.P.D. - REVOKED

- a) At 621-623 Larkin Street, revoke existing 27' yellow zone from 39' to 66' south of Willow Street
- b) Revoke existing 31' yellow zone from 7' to 38' south of Willow Street.

RESOLUTION NO. 785-82

AUTHORIZING ATTENDANCE OF SGT/INSP. DUANE OTIS, JUVENILE DIVISION, AT A SEECIAL SEMINAR FOR BASIC ACADEMY CHILD ABUSE/JUVENILE LAW INSTRUCTORS IN SACRAMENTO, CALIFORNIA FROM OCTOBER 5, 1982 to OCTOBER 6, 1982

RESOLVED, that the recommendation of the Chief of Police that Sergeant/Inspector Duane Otis, Juvenile Division, be detailed to attend a POST Special Seminar for Basic Academy Child Abuse/Juvenile Law Instructors in Sacramento, California from October 5, 1982 to October 6, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant/Inspector Otis, in a sum not to exceed \$140.00 will be defrayed by P.O.S.T.

AYES: Commissioners Daly, Nelder, Toler
ABSENT: Commissioners Sanchez, Murphy

RESOLUTION NO. 786-82

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Officer Paul Seidler) \$817.50 (National Gay Conference
(Dallas, Texas
(08/13/82 - 08/15/82

AYES: Commissioners Daly, Toler, Nelder
ABSENT: Commissioners Murphy, Sanchez

RESOLUTION NO. 789-82

SETTING OF THE DATE FOR THE HEARING OF POLICE OFFICER JEFFREY WILLIAMS, MISSION STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Jeffrey Williams, Mission Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, attorney for the San Francisco Police Department, that the date for the hearing be set for October 13, 1982; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Jeffrey Williams is set for Wednesday, October 13, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler
ABSENT: Commissioners Murphy, Sanchez

RESOLUTION NO. 791-82

SETTING OF DATE FOR HEARING OF POLICE SERGEANT
RONNEY RHOADES, PARK STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Sergeant Ronney Rhoades, Park Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. John F. Prentice, attorney for Sergeant Rhoades, that the date for the hearing before the Police Commission be set for December 1, 1982; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Sergeant Ronney Rhoades is set for Wednesday, December 1, 1982, at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder
ABSENT: Commissioners Murphy, Sanchez

RESOLUTION NO. 792-82

SETTING OF DATE FOR HEARING OF POLICE OFFICER
JERRY LANKFORD, VICE CRIMES DIVISION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Jerry Lankford, Vice Crimes Division, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, attorney for the San Francisco Police Department, that the date for the setting of the hearing before the Police Commission be set for October 6, 1982; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Jerry Lankford, Vice Crimes Division, is set for Wednesday, October 6, 1982; at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder
ABSENT: Commissioners Murphy, Sanchez

RESOLUTION NO. 793-82

SETTING OF DATE FOR HEARING OF POLICE OFFICER
MARK PORTO, CENTRAL STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Mark Porto, Central Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. John F. Prentice, attorney for Officer Porto, that the date for the hearing before the Police Commission be set for December 1, 1982; therefore be it

RESOLVED, that the hearing of the disciplinary

charges filed against Police Officer Mark Porto, Central Station, is set for Wednesday, December 1, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder,
ABSENT: Commissioners Murphy, Sanchez

RESOLUTION NO. 794-82

REQUEST FOR SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$595,113 TO FUND THE HOUSING POLICE PROGRAM

RESOLVED, that the Police Commission hereby approves a request for a supplemental appropriation, amounting to \$595,113. Funding will be from "any legally available source." The supplemental appropriation will fund a contract between the San Francisco Police Department and the San Francisco Housing Authority. The purpose of the contract is to fund services of the Housing Authority Police for the period December 1, 1982 through June 30, 1983.

AYES: Commissioners Daly, Toler, Nelder
ABSENT: Commissioners Murphy, Sanchez

HEARING OF POLICE OFFICER ROBERT C. MULRY, PERSONNEL AND TRAINING

The hearing of Police Officer Robert C. Mulry, Personnel & Training Division, was called it having been set for this date, Police Officer Robert C. Mulry was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Failure to report for duty at the time and place required by assignment (violation of Rule A-4 of General Order D-1 of the San Francisco Police Department).

SPECIFICATION NO. 2

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Police Officer Robert C. Mulry appeared in person and was represented by Mr. George Engler, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement was made by Attorney Akins for the Prosecution.

An opening statement was made by Attorney Engler for the Defense.

The following named witnesses were called by the Prosecution, were sworn and testified:

Officer Robert C. Mulry (called by the
Prosecution under 776 of the
Evidence Code)

Sergeant James Tedesco
Personnel & Training Division

The following exhibits were entered into evidence by the Prosecution:

Exhibit #1 - Work Release Form - January 18, 1982.

Exhibit #2 - Request for Leave form.

Exhibit #3 - Certified Mail Letter to Officer Mulry in regard to his return to duty - dated February 18, 1982

Exhibit #4 - Notice of Automatic Resignation from Employment - dated March 8, 1982.

Exhibit #5 - Four (4) copies of Officer Mulry's Attendance Record.

Attorneys for the Police Department and for the Defense submitted their cases and thereafter Mr. George Engler presented a closing statement and Mr. Jerry Akins also submitted his closing statement.

The Commission took the matter under submission after which the following resolution was adopted:

RESOLUTION NO. 790-82

DECISION - HEARING OF POLICE OFFICER ROBERT C. MULRY,
PERSONNEL AND TRAINING

WHEREAS, on September 9, 1982, Cornelius P. Murphy, Chief of Police of the San Francisco Police Department, made and served charges against Police Officer Robert C. Mulry as follows:

SPECIFICATION NO. 1

- (a) At all times mentioned herein Robert C. Mulry was and is a police officer employed by the San Francisco Police Department;
- (b) As a police officer, Officer Mulry (hereinafter, the accused) was and is responsible for knowing and obeying the rules, order, and procedures of the San Francisco Police Department;
- (c) On January 15, 1982 and while on sick leave of absence, the accused telephoned the department's Medical Liaison Officer and stated that the accused had been released to limited duty by his treating physician effective January 18, 1982;

- (d) The accused further stated that he did not intend to return to duty to the Communications Division, his assigned unit;
- (e) The Medical Liaison Officer informed the accused that the accused must either return to duty or seek and receive a sick leave of absence;
- (f) Sick Leave of Absence forms were sent to the accused and the accused acknowledged receipt of the forms but in late January, 1982 when the accused was contacted by the Medical Liaison Office by telephone, the accused that he had not decided what action to take;
- (g) In early February, 1982, the Medical Liaison Officer telephoned the accused's residence and left a message that the accused return the leave forms for approval or face Civil Service Rule 25 Abandonment of Position proceedings;
- (h) On February 18, 1982, a letter was sent by certified mail to the accused directing the accused to return to duty, file for and receive a sick leave of absence, or face Civil Service Rule 25 proceedings;
- (i) The certified letter to the accused was signed as received on February 24, 1982;
- (j) On February 24, 1982, the accused's payroll status was converted to Ø from Sick Leave;
- (k) On March 8, 1982, notice of automatic resignation pursuant to Civil Service Rule 25 was sent by Certified Mail to the accused at two separate addresses of record;
- (l) Both notices were returned receipted by March 15, 1982;
- (m) On June 7, 1982, the Civil Service Commission, hearing the accused's appeal on automatic resignation, determined that the intent of Civil Service Rule 25 was not meant for situations such as the accused and that actions under department rules was more appropriate;
- (n) By his failure to report for duty at the time and place required by assignment, the accused violated Rule A-4 of General Order D-1 of the San Francisco Police Department which states:

"Members shall report for duty at the time and place required by assignment and shall be physically and mentally fit to perform their duties."

SPECIFICATION NO. 2

- (a) Each and every allegation contained in paragraphs (a) through (m) of Specification No. 1 are hereby incorporated by reference as though each were fully set forth herein;
- (b) By his failure to report for duty at the time and place required by assignment, the accused engaged in unofficerlike conduct which tends to subvert the good order, efficiency or discipline of the department which constitutes a violation of Section A-9 of General Order D-1 of the San Francisco Police Department which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficerlike conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, September 29, 1982 the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Robert C. Mulry as contained in Specification No. 1, violation of Rule A-4 of General Order D-1 and in Specification No. 2, violation of Rule A-9 of General Order D-1 of the San Francisco Police Department are sustained by the evidence presented in the hearing; therefore be it

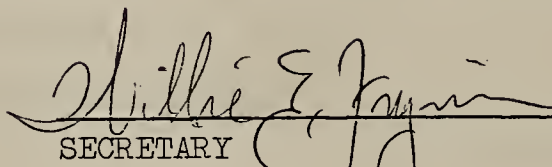
RESOLVED, that it is the order of the Police Commission that Police Officer Robert C. Mulry has violated Rule A-4 and Rule A-9 of General Order D-1 of the San Francisco Police Department and for said violations he shall be dismissed from the San Francisco Police Department; and be it further

RESOLVED, that said dismissal, effective immediately, be, and the same is hereby affirmed and approved.

AYES: Commissioners Daly, Nelder, Toler
ABSENT: Commissioners Murphy, Sanchez

(The entire proceedings were taken in shorthand form by Bonnie Mortley, CSR).

The Commission then adjourned its meeting at 7:30
p.m.


SECRETARY

2
6 OCTOBER 1982

EXECUTIVE SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Wednesday, October 6, 1982 at 1545 hours in Executive Session.

PRESENT: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

Commissioner Sanchez presiding.

DOCUMENTS DEPT.

1. Attorney-Client Conference

JAN 3 1983

No vote was taken.

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6 OCTOBER 1982

REGULAR SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, October 6, 1982 at 1600 hours in regular session.

PRESENT: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

Commissioner Sanchez presiding.

The Commissioners, having received, amended and returned copies of the minutes of the meetings of August 11, 1982, August 18 and August 25, 1982, the Commissioners having received, amended and returned copies of same.

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 802-82

LORETTA ANN HERCS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Loretta Ann Hercs against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 23, 1982

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 803-82

KAM YOU CHOY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kam You Choy against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 23, 1982

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 804-82

RONALD HOLLANDER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ronald Hollander against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 30, 1982

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 805-82

J. PILAAR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of J. Pilaar against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 27, 1982

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 806-82

PENNY PORTER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Penny Porter against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 30, 1982

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 807-82

SHAHROKH KOHAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Shahrokh Kohan against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 27, 1982

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 808-82

SHIRLEY A. LACY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Shirley A. Lacy against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 14, 1982

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 801-82

JAVIER S. HERNANDEZ

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Javier S. Hernandez in the sum of \$58,000.00 in Superior Court Action No. 757-464, entitled "Javier S. Hernandez and his Attorney, David L. Haet, Esquire vs. City and County of San Francisco, et al.", as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 7, 1979

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 799-82

AUTHORIZING ATTENDANCE OF INSPECTOR EDWARD TANK,
BURGLARY DETAIL AT THE WESTERN STATES SAFE AND
BURGLARY INVESTIGATORS SEMINAR IN RENO, NEVADA,
FROM OCTOBER 25, 1982 TO OCTOBER 28, 1982

RESOLVED, that the recommendation of the Chief of Police that Inspector Edward Tank, Burglary Detail, be authorized to attend a Western States Safe and Burglary Investigators Seminar in Reno, Nevada from October 25, 1982 to October 28, 1982, be, and the same is hereby approved.

RESOLVED, that the expenses incurred by Inspector Tank in a sum not to exceed \$280.00 will be defrayed from the San Francisco Police Department Training Fund.

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 800-82

AUTHORIZING ATTENDANCE OF SERGEANT GREGORY CASH AND OFFICER MICHAEL TRAVIS, TACTICAL DIVISION, EXPLOSIVE ORDNANCE DISPOSAL UNIT, AT THE INTERNATIONAL ASSOC. OF BOMB TECHNICIANS AND INVESTIGATORS IN SERVICE TRAINING CONFERENCE

RESOLVED, that the recommendation of the Chief of Police that Sergeant Gregory Cash and Officer Michael Travis, Tactical Division, Explosive Ordnance Disposal Unit, be authorized to attend an International Association of Bomb Technicians and Investigators In Service Training Conference at Lake Tahoe, Nevada from October 26, 1982 to October 29, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sgt. Cash and Officer Travis in a sum not to exceed \$355.00 each will be defrayed from the Department Training Fund.

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

SETTING OF DATE FOR HEARING OF POLICE OFFICER MICHAEL HUGHES, MUNI TRANSIT DIVISION. - CONTINUED TWO WEEKS FOR HEARING.

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 795-82

REQUEST FOR A SUPPLEMENTAL APPROPRIATION TO REFLECT CIVIL SERVICE COMMISSION ACTION RETITLING TWO CIVIL SERVICE CLASSES

RESOLVED, that the Police Commission hereby approves a "Request for Supplemental Appropriation.". The Supplemental Appropriation Request reflects Civil Service Commission Action 1296-82, of August 27, 1982,

which retitled Class 8260 Assistant Criminalist to Criminalist and Class 8262 Criminalist to Senior Criminalist.

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Toler, Daly

RECEIPT OF DEPARTMENT GENERAL ORDER G-3 (COPIES SENT TO EMPLOYEE ORGANIZATIONS) - CONTINUED FOR ONE WEEK.

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Toler, Daly

RECEIPT OF DEPARTMENT GENERAL ORDER P-10 (COPIES SENT TO EMPLOYEE ORGANIZATIONS) - CONTINUED FOR ONE WEEK.

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Toler, Daly

RESOLUTION NO. 900-82

DEPARTMENT GENERAL ORDER P-8 - FTO RECRUITS
RECOMMENDED FOR TERMINATION - APPROVED

RESOLVED, that the Police Commission hereby approves Department General Order P-8 regarding FTO Recruits Recommended For Termination.

AYES: Commissioners Nelder, Murphy, Sanchez

ABSENT: Commissioners Toler, Daly

HEARING OF POLICE OFFICER PETER KOZEL, MUNI TRANSIT DIVISION

The hearing of Police Officer Peter Kozel, Muni Transit Division, was called it having been set for this date. Police Officer Kozel was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Failure to immediately notify his commanding officer in writing that he was subpoenaed by the defense in a criminal proceeding (violation of Section A-32 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Engaging in conduct which may have the effect of compromising the effective investigation or prosecution of a criminal offense (violation of Section B-10 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Police Officer Peter Kozel appeared in person and was represented by Mr. John Prentice, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department.

An opening statement was made by Mr. Jerry Akins, Prosecuting Attorney.

An opening statement was not made by Mr. John Prentice, attorney for Officer Kozel.

Charges against Officer Kozel were then read into the record.

The following witnesses appeared for the Prosecution, were sworn and testified:

Police Officer Peter Kōzel (called under Section 776
Muni Transit Division of the Evidence Code)

Sgt. Larry G. Balakian
Richmond Station

Lt. Lawrence Gray
Homicide Detail

The following named witnesses appeared for the Defense, were sworn and testified:

Sgt. Roger Battaglia
Richmond Station

Ms. Susan Rutberg
Public Defender's Office
Hall of Justice

Mr. Kevin Wong Toy
211 Ney Street
San Francisco, Ca.

The following exhibits were entered into evidence by the Prosecution:

Exhibit #1 - Teletype, dated 07/22/82 - Homicide
update to our State broadcast 007 of 07/08/81.

Exhibit #2 - Subpoena #106629, issued to Officer Peter Kozel in the matter of State of California vs. Peter Cote, issued February 11, 1982.

Exhibit #3 - Wanted Bulletin #81-45, dated 07/04/81.

The following exhibits were entered into evidence by the Defense:

Exhibit A - Time Roll - Co. G, Richmond Station,
dated 07/04/81.

Exhibit B - Intra-Departmental Memorandum by Officer Leon J. Crouere, Subject: Officer Peter Kozel, dated 04/13/82.

Exhibit C - Intra-Departmental Memorandum by Inspector Frank Falzon, re: Officer Peter Kozel.

Exhibit D - Death Certificate of Jeral, AKA "Jerry" ADA "H. WONG" Toy, dated April 2, 1979.

Exhibit E - Intra-Departmental Memorandum by Lt. Lawrence Gray, re: Officer Peter Kozel dated Thursday, March 4, 1982.

Closing statements were made by both the Prosecuting and Defense Attorneys.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 796-82

DECISION - HEARING OF OFFICER PETER KOZEL, MUNI TRANSIT DIVISION

WHEREAS, on June 11, 1982, Cornelius P. Murphy, Chief of Police, made and served charges against Police Officer Peter Kozel, as follows:

SPECIFICATION NO. 1

- (a) At all times mentioned herein, Peter Kozel was and is a police officer employed by the San Francisco Police Department and assigned to the Muni Transit Unit;
- (b) As a police officer, Officer Kozel (hereinafter, the accused) was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;
- (c) On February 17, 1982, the accused was served a subpoena to testify for the defense at the San Francisco Superior Court in the murder trial of Peter Loder;
- (d) At no time prior to his testimony at trial did the accused notify his commanding officer in writing that he had been subpoenaed by the Defense;
- (f) By failing to notify his commanding officer in writing that he had been subpoenaed by the defense in a criminal proceeding, the accused violated Section A-32 of General Order D-1 of the San Francisco Police Department which states that:

"Members shall, when subpoenaed or requested to appear as a witness for the Defense in any criminal proceeding or in any proceeding before the Board, or when subpoenaed or requested to appear in any civil proceeding in which the City is a party, immediately notify their commanding officer in writing. The report shall identify who subpoenaed or requested the member's appearance and shall include a brief statement of the testimony the member expects to provide. Commanding officers shall forward these reports through channels to the Legal Office, which shall cause proper notification to be made to the District Attorney's Office (where a criminal proceeding is involved), to the Secretary of the Police Commission (where a proceeding before the Board is involved,) and to the City Attorney's Office (where a civil proceeding in which the City is a party is involved). Where the member's appearance would occur before the Legal Office has a reasonable chance to make these notifications, members shall attempt to notify the proper agencies themselves by telephone as soon as possible before the time of appearance."

SPECIFICATION NO. 2

- (a) Each and every allegation contained in paragraphs (a) through (e) of Specification No. 1 are hereby incorporated by reference as though each were fully set forth herein;
- (b) The accused was aware that he knew members of Peter Loder's family;
- (c) While engaged in conversation with the half-brother of Peter Loder, the accused advised the half-brother that the police knew of the suspect's vehicle and that Loder should surrender to the police;
- (d) The accused did not contact the investigating inspectors assigned to the Loder case to inform them of his conversation with Loder's half-brother or involvement in attempting to arrange Loder's surrender;
- (e) The accused's testimony at trial precluded introduction of evidence by the prosecutor on an important issue;
- (f) By engaging in conduct that may have the effect of compromising the effective investigation or prosecution of a criminal offense, the accused violated Section B-10 of General Order D-1 of the San Francisco Police Department which states:

"Except as required by law or by Department orders, members shall not divulge any information or engage in any conduct that may have the effect of compromising the effective investigation or prosecution of a criminal offense."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, October 6, 1982 and on Wednesday, October 6, 1982, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Peter Kozel as contained in Specification No. 1, Section A-32 of General Order D-1, are sustained by the evidence presented at the hearing; and

WHEREAS, the Police Commission finds that the charges made and filed against Police Officer Peter Kozel as contained in Specification No. 2, Section B-10 of General Order D-1 of the San Francisco Police Department are not sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Peter Kozel has violated Specification No. 1, Section A-32 of General Order D-1 of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violation Police Officer Peter Kozel, Muni Transit Police Division, shall be suspended for thirty (30) calendar days which shall not be imposed on the condition that he satisfactorily complete a one-year period of probation and upon satisfactory completion of said one-year probationary status the thirty (30) days suspension shall be dismissed; and be it further

RESOLVED, that Police Officer Peter Kozel shall be ordered by the Captain of the Muni Transit Police Division to be re-instructed at the Police Academy for whatever period of time he deems necessary for Officer Kozel to review and learn the Rules and Procedures of the San Francisco Police Department.

AYES: Commissioners Nelder, Murphy, Sanchez
ABSENT: Commissioners Daly, Toler

(The entire proceedings were taken in shorthand form by Bonnie Mortley, CSR).

HEARING OF RECRUIT OFFICER EDWARD CALVILLO, MISSION STATION

The hearing of Recruit Officer Edward Calvillo, Mission Station, was called it having been set for this date. Recruit Officer Edward Calvillo was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Discharging a firearm from a moving vehicle without justification (violation of Rule C-2 of General Order F-1 of the San Francisco Police Department).

SPECIFICATION NO. 2

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Recruit Officer Calvillo appeared in person and was represented by Mr. John Prentice, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the Police Department.

An opening statement was made by Mr. Jerry Akins, Prosecuting Attorney.

An opening statement was not made by Mr. John Prentice, attorney for the Defense.

Charges against Recruit Officer Calvillo were read into the record.

The following named witnesses appeared for the Defense, were sworn and testified:

Officer Michael Fagundes, Mission Station

Lt. David Winn, Mission Station

Mr. Gene Jones
115 Canyon Drive
Orinda, California

The following named witnesses appeared for the Prosecution, were sworn and testified:

Officer Edward W. Calvillo, Mission Station
(Called under Section 776 - Evidence Code)

Michael Luksich
Senior Criminologist
Crime Laboratory

Captain Donald Taylor, Mission Station - Commanding

Officer Edward W. Calvillo, Mission Station
(recalled under Section 776 - Evidence Code)

The following exhibits were entered into evidence by the Prosecution:

Exhibit #1 - One Shoulder Holster and One .38
Calibre Smith & Wesson Revolver -
2" barrell - Serial No. J469015

Closing statements were made by both the prosecuting and Defense Attorneys.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 809-82

DECISION - HEARING OF RECRUIT OFFICER EDWARD CALVILLO,
MISSION STATION

WHEREAS, on July 9, 1982, Cornelius P. Murphy, Chief of Police made and served charges against Recruit Officer Edward Calvillo, as follows:

SPECIFICATION NO. 1

- (a) At all times herein mentioned, Edward W. Calvillo was and is a recruit officer employed by the San Francisco Police Department and assigned to field training at Mission Station;
- (b) As a recruit officer, Officer Calvillo (hereinafter, the accused) was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;
- (c) On March 29, 1982, at or about 0145 hours, and while off duty, the accused was the passenger in a moving vehicle proceeding on Leavenworth Street from Jefferson Street in the City and County of San Francisco;
- (d) As the vehicle was approximately mid-block on Leavenworth Street, the passenger of the vehicle was observed to place a hand outside the passenger side window and discharge a firearm;
- (e) The vehicle was stopped by a Tactical Division Unit, using red lights and siren, at or near the intersection of Beach and Hyde Streets;
- (f) In a subsequent report to the commanding officer of Mission Station, the accused admitted discharging a firearm in the manner above;
- (g) The accused's report to the commanding officer of Mission regarding the discharge of a firearm set forth no circumstance that discharge was necessary to defend himself or another person or to effect an arrest pursuant to Section I-B, Subsection 1, 2, or 3 of General Order F-1 of the San Francisco Police Department;
- (h) By discharging a firearm from a moving vehicle without justification, the accused violated Rule C-2 of General Order F-1 of the San Francisco Police Department which states:

"C. Firearms shall not be discharged under the circumstances set forth below.

- 2. At or from a moving vehicle unless the circumstances come within the provisions as set forth in Section I-B, subsections 1 and 2, of this order."

SPECIFICATION NO. 2

- (a) Each and every allegation contained in paragraphs (a) through (g) of Specification No. 1 are hereby incorporated by reference as though each were fully set forth herein;
- (b) By discharging a firearm from a moving vehicle without justification, the accused has engaged in conduct which tends to subvert the good order, efficiency or discipline of the department which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficerlike conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, October 6, 1982 and on Wednesday, October 6, 1982 the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Recruit Officer Edward W. Calvillo as contained in Specification No. 1, Rule C-2 of General Order F-1 of the San Francisco Police Department and Specification No. 2, Rule A-9 of General Order D-1 of the San Francisco Police Department are sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Recruit Officer Edward W. Calvillo has violated Specification No. 1, Rule C-2 of General Order F-1 of the San Francisco Police Department and Specification No. 2, Rule A-9 of General Order D-1 of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violations Recruit Officer Edward W. Calvillo, Mission Station, shall be suspended for ninety (90) calendar days, sixty (60) of which shall not be imposed on condition that Recruit Officer Calvillo shall be suspended without pay for thirty (30) calendar days commencing immediately and terminating on Friday, November 5, 1982 at 2400 hours; and be it further

RESOLVED, that it is the order of the Police Commission that Recruit Officer Calvillo shall be ordered by the Captain of Mission Station to be reinstructed at the Police Range for whatever period of time he deems necessary for Recruit Officer Calvillo to learn the rules in regard

to the proper handling of firearms and upon completion of retraining Recruit Officer Calvillo must receive a Letter of Certification from the Police Range stating he has satisfactorily completed said retraining. Upon satisfactory completion of retraining the sixty (60) days suspension held in abeyance shall be dismissed.

AYES: Commissioners Nelder, Murphy, Sanchez
ABSENT: Commissioners Daly, Toler

(The entire proceedings were taken in shorthand form by Bonnie Mortley, CSR)

RESOLUTION NO. 797-82

SETTING OF DATE FOR THE HEARING OF POLICE OFFICER
JERRY LANKFORD, VICE CRIMES DIVISION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Jerry Lankford, Vice Crimes Division, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, attorney for the San Francisco Police Department, that the date for the setting of the hearing before the Police Commission be set for October 13, 1982; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Jerry Lankford, Vice Crimes Division, is set for Wednesday, October 13, 1982, at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Murphy, Sanchez
ABSENT: Commissioners Toler, Daly

RESOLUTION NO. 798-82

RECRUIT OFFICER REGINALD REESE, ACADEMY

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Recruit Officer Reginald Reese, Academy, as follows:

SPECIFICATION NO. 1

Failure to report for duty (violation of Rule A-4 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to obey written orders (violation of Rule A-10 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 3

Absent without permission (violation of Section X, Rule 3-J of the Recruits' Rules and Procedures of the San Francisco Police Department);

SPECIFICATION NO. 4

Failure to notify Academy staff of absence (violation of Section X, Rule 3-K of the Recruits' Rules and Procedures of the San Francisco Police Department);

SPECIFICATION NO. 5

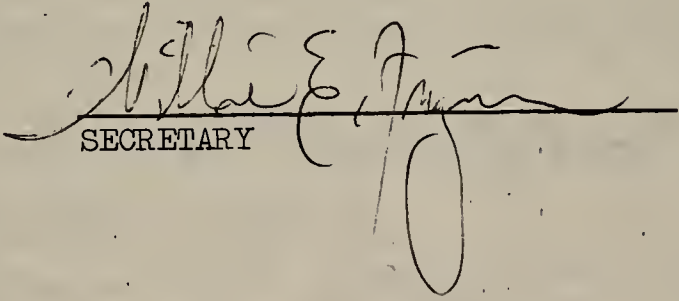
Failure to be respectful to a superior officer (violation of Rule A-13 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Recruit Officer Reginald Reese, Academy, is set for Wednesday, October 13, 1982, 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Murphy, Sanchez
ABSENT: Commissioners Daly, Toler

The Commission then adjourned its meeting at 12:58 a.m., Thursday, October 7, 1982.


SECRETARY

JAN 3 1983

SAN FRANCISCO
PUBLIC LIBRARY13 OCTOBER 19821700 HOURS

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, October 13, 1982, at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of Traffic on the public streets, be, and the same are hereby approved:

#2 OTTAWA STREET - CHICK-N DELI

- a) At #2 Ottawa Street, install 33' green zone extending from 3' to 36' west of Mission Street on Ottawa.

348 COLUMBUS - ICE CREAM PARLOR (PERCHE NO)

- a) At 348 Columbus, install 22' Special Truck Loading Zone extending from 22' to 44' west of Grant Avenue, 22' SPECIAL TRUCK LOADING ZONE ALL DAY.
- b) Remove meter COL 324

843 STOCKTON STREET - - S.F. CHINESE COMMUNITY ENGLISH SCHOOL

- a) At 843 Stockton Street, install 22' white zone extending from 22' to 44' north of the south property line.
- b) Install SPECIAL PASSENGER sign on meter STO 825 from 8 a.m. - 9 a.m. and 2 p.m. to 3 p.m.

3132 LAGUNA STREET - KALMAN CO.

- a) At 3132 Laguna Street, install 21 green zone extending from the south property line 21'.

433 CALIFORNIA STREET - AIRPORT BUS CO.

- a) At 433 California Street, install 60' white zone, extending from west property line 60' east of same.
- b) Revoke existing 60' Special Truck Loading Zone

3543 18TH STREET - SAN FRANCISCO WOMEN'S CENTERS

- a) At 3543 18th Street, revoke 18' white zone extending from 30' to 48' east of the west property line (leaves 18' white) and install 18' blue zone extending from 30' to 48' east of the west property line.

320 FILLMORE STREET - S.F.P.D. - REVOKED

- a) At 320 Fillmore Street, revoke existing 22' green zone extending from north property line, 22' south of same.

312 FILLMORE STREET - S.F.P.D. - REVOKED

- a) At 312 Fillmore Street, revoke 22' white zone extending from 22' to 44' south of north property line of same.

500 FELL STREET - S.F.P.D. - REVOKED

- a) At 500 Fell Street, revoke existing 36' green zone extending from 12' to 48' west of east property line.

2799 CALIFORNIA STREET - S.F.P.D. - REVOKED

- a) At 2799 California Street, revoke existing 25' green zone extending from 10' to 35' east of Divisadero Street.

2206 GREENWICH STREET - S.F.P.D. - REVOKED

- a) At 2206 Greenwich Street, revoke existing 18' yellow zone extending from 24' to 42' west of Fillmore Street.

1511 IRVING STREET - S.F.P.D. - REVOKED

- a) At 1511 Irving Street, revoke existing 16' yellow zone extending from 10' to 26' west of the east building line - also grey out 10' red but leave driveway tips red.

191 JESSIE STREET - S.F.P.D. - REVOKED

- a) At 191 Jessie Street, revoke existing 36' yellow zone extending west from 8' east of the east line.

201 COLLEGE - S.F.P.D. - REVOKED - CONTINUED 30 DAYS

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

3901 MISSION STREET - S.F.P.D. - REVOKED

- a) At 3901 Mission Street, revoke existing 44' yellow zone,

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 319 feet of red, green and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 811-82

TIM MARK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Tim Mark against the City and County of San Francisco in the sum of \$114.40 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 2, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 812-82

MARY ZICKEFOOSE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary Zickefoose against the City and County of San Francisco in the sum of \$15.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 27, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 813-82

ALBERT BERNAL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Albert Bernal against the City and County of San Francisco in the sum of \$90.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 20, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 814-82

FARMERS INSURANCE GROUP & KEUN UNG LEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Farmers Insurance Group & Keun Ung Lee against the City and County of San Francisco in the sum of \$426.92 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 21, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 815-82

CHRISTOPHER C. CRAWFORD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Christopher C. Crawford against the City and County of San Francisco

in the sum of \$33.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 31, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 816-82

MATTIE L. SPEED

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mattie L. Speed against the City and County of San Francisco in the sum of \$55.20 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 30, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 817-82

WAI CHUN KOO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Wai Chun Koo against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 18, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 818-82

BETH LABSON FREEMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Beth Labson Freeman against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 6, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 819-82

RAFAEL ALVARENGA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rafael Alvarenga against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 18, 1982

AYES: Commissioners Daly, Nelder, Toker, Murphy, Sanchez

RESOLUTION NO. 820-82

NICHOLAS M. AIELLO, JR. AND NICHOLAS M. AIELLO SR.,
AND THEIR ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Nicholas M. Aiello, Jr. and Nicholas M. Aiello, Sr. and their attorney in the sum of \$500.00 in Superior Court Action No. 725-712, entitled "Nicholas M. Aiello, Sr. and Nicholas M. Aiello, Jr. vs. County of San Francisco, et al", as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 11, 1977

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLUTION NO. 821-82

RESOLVED, that the Traveling Expense Voucher submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Sergeant James Hall	) \$1,000.00	(Special Weapons
Officer Vincent Catanzaro)		(and Tactics
Officer Paul Detimofeev)		(Refresher Train-
Officer Brett Higdon)		(ing Course
Officer Daniel McDonagh)		(Monterey, Calif.
Officer Alejandro Serrano)		(09/14/82 - 09/15/82
Officer Jere Williams)		
Officer Donald Woolard)		

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 822-82

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Inspector Edwin Kenney)	\$290.00	(Investigation of
		(Homicide and Violent
		(Crimes Course
		(Santa Cruz, Calif.
		(09/20/82 - 09/24/82

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 823-82

RESOLVED, that the Traveling Expense Voucher submitted by the following named members of the Police Department for Expenses incurred in attending

the below indicated program, be, and the same is hereby approved:

Police Officer John Farnham	)		(Special Weapons
Police Officer Alejandro Serrano	)	\$234.00	(and Tactics Basic
Police Officer Vincent Catanzaro	)	each	(Course
Police Officer Donald Woolard	)		(Novato, Calif.
			(08/23/82 - 08/27/82

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 824-82

RESOLVED, that the Traveling Expense Voucher submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Sergeant Gregory Cash	)	\$625.00	(Special Weapons and
			(Tactics Refresher
			(Training Course
			(Monterey, Calif.
			(09/21/82 - 09/22/82

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 825-82

POLICE NARCOTIC FUND - APPROVED

RESOLVED, that the Controller be and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy in the amount of \$6,000.00 charging same to Index Code 580217 as an advance on the Police Narcotic Fund for the month of October, 1982.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 826-82

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller be and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy in the amount of \$4,000.00 charging same to Index Code 580217 as an advance on the Police Contingent Fund for the month of October, 1982.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 833-82

SETTING OF DATE FOR HEARING OF SERGEANT CHARLES E. WARREN, JR., TACTICAL DIVISION

WHEREAS, the date to be set for the disciplinary hearing of Sergeant Charles E. Warren, Jr., Tactical Division, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Sergeant Charles E. Warren, Jr., that the date for the setting of the hearing before the Police Commission be set for November 3, 1982; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Sergeant Charles E. Warren, Jr., is set for Wednesday, November 3, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 834-82

SETTING OF DATE FOR HEARING OF POLICE OFFICER JEFFREY WILLIAMS, MISSION STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Jeffrey Williams, Mission Station, was called it having been set for this date; and

WHEREAS, it was requested by Police Officer Jeffrey Williams, who was not represented by counsel that his disciplinary hearing be set for Wednesday, November 17, 1982; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Jeffrey Williams is set for Wednesday, November 17, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 827-82

SETTING OF DATE FOR HEARING OF POLICE OFFICER JERRY LANKFORD, POTRERO STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Jerry Lankford, Potrero Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Robert Martin, attorney for Police Officer Jerry Lankford, that the date for the setting of the hearing before the Police Commission be set for December 15, 1982; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Jerry Lankford is set for Wednesday, December 15, 1982, at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 810-82

SETTING OF DATE FOR HEARING OF POLICE OFFICER REGINALD REESE, SUPPORT SERVICES BUREAU

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Reginald Reese, Support Services Bureau, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, Attorney for the San Francisco Police Department, that the date for the hearing before the Police Commission be set for October 20, 1982; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Reginald Reese is set for Wednesday, October 20, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder,
Murphy, Sanchez

PRESENTATION OF A PROPOSAL ON THE FEASIBILITY OF USE OF MICROFILM FOR RECORDS STORAGE - MRS. IDA WESTBROOK. - CONTINUED OFF-CALENDAR UNTIL FURTHER NOTICE.

AYES: Commissioners Daly, Toler, Nelder,
Murphy, Sanchez

HEARING ON THE MATTER OF MR. JESUS LOSA, JITNEY PERMIT #72 (CONTINUED FROM MEETING OF SEPTEMBER 1, 1982). - CONTINUED ONE WEEK TO OCTOBER 20, 1982

AYES: Commissioners Daly, Toler, Nelder,
Murphy, Sanchez

HEARING IN REGARD TO PATROL SPECIAL BEAT #46. (CONTINUED FROM MEETING OF AUGUST 18, 1982). - CONTINUED ONE MONTH.

AYES: Commissioners Daly, Toler, Nelder,
Murphy, Sanchez

RESOLUTION NO. 828-82

DEPARTMENT GENERAL ORDER N-1, NIGHT OPERATIONS COMMANDER DUTIES - APPROVED

RESOLVED, that the Police Commission hereby adopts Department General Order N-1, Night Operations Commander Duties.

AYES: Commissioners Daly, Toler, Nelder,
Murphy, Sanchez

PUBLIC HEARING RELATIVE TO GENERAL ORDER P-10 - "PRESS/MEDIA RELATIONS PROCEDURE" - CONTINUED TO OCTOBER 20, 1982.

AYES: Commissioners Daly, Toler, Nelder,
Murphy, Sanchez

RESOLUTION NO. 829-82

DEPARTMENT GENERAL ORDER G-3, COURT PARKING PERMITS;
ANNEX PARKING LOTS - APPROVED

RESOLVED, that the Police Commission hereby adopts Department General Order G-3, Court Parking Permits; Annex Parking Lots.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

PUBLIC HEARING RELATIVE TO GENERAL ORDER D-3, RIGHTS
OF ONLOOKERS AT THE SCENE OF AN INCIDENT - CONTINUED
TWO WEEKS TO OCTOBER 27, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 830-82

DEPARTMENT GENERAL ORDER F-3, TRAFFIC STOPS BY NON-
UNIFORMED OFFICERS - APPROVED

RESOLVED, that the Police Commission hereby adopts Department General Order F-3, Traffic Stops by Non-Uniformed Officers.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 831-82

DEPARTMENT GENERAL ORDER P-7, COUNSELING OF MEMBERS
BY COMMANDING OFFICERS - APPROVED

RESOLVED, that the Police Commission hereby adopts Department General Order P-7, Counseling of Members by Commanding Officers.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 832-82

AUTHORIZING THE MUNICIPAL COURT FOR THE CITY AND
COUNTY AND THE SAN FRANCISCO POLICE DEPARTMENT TO
ENTER INTO CONTRACTS FOR THE ACCEPTANCE OF CREDIT
CARD PAYMENT FOR MISDEMEANOR BAIL AND FINES AND
VEHICLE TOWAGE AND STORAGE FEES.

WHEREAS, The California Legislature has, in Government Code Section 6159, authorized local jurisdictions to accept credit card payment for the deposit of bail or for any fine or offense not declared to be a felony, or for payment of vehicle towage or storage costs, and

WHEREAS, The use of credit cards as a medium of exchange in lieu of cash or bank checks is a common and accepted practice in our society, and

WHEREAS, Many citizens find themselves in the position of having to post bail for traffic warrants or to have a towed vehicle released without being in possession of the requisite amount of cash or a bank check, and

WHEREAS, The Municipal Court for the City and County of San Francisco and the San Francisco Police Department both desire to institute a credit card bail acceptance program, now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby authorizes the Clerk of the Municipal Court for the City and County of San Francisco and the San Francisco Police Department to accept credit card payment for the payment of the deposit of bail or for any fine for any offense not declared to be a felony, or for payment of any vehicle towage or storage costs, and to enter into contracts with one or more credit card issuers or draft purchasers, which contract shall contain the provisions required in Government Code Section 6159(c) (Stats 1979 ch 574 § 3, as amended by State 1980 ch 422 § 1).

AYES: Commissioners Daly, Toler, Nelder,
Murphy, Sanchez

RESOLUTION NO. 836-82

CONTINUATION OF THE HEARING OF POLICE OFFICER THOMAS ARGO, MISSION STATION

The matter of the hearing of Police Officer Thomas Argo, Mission Station, was called it having been continued from the meeting of September 22, 1982.

Police Officer Thomas Argo appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Jerry Akins appeared on behalf of the San Francisco Police Department.

The following named witnesses were called by the Defense, sworn and testified:

Police Officer Thomas Argo
Mission Station

Police Officer Steve R. Marquez
Taraval Station

After listening to testimony from the above parties, the Commission then adjourned at 2020 hours, and the matter was continued until at such time as the Internal Affairs Division has conducted a more indepth investigation of the matter, thereafter notifying the Commission as to when the hearing of Police Officer Thomas Argo may be resumed.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

(The entire proceedings were taken in shorthand
form by Hearing Reporter Bonnie Mortley, CSR)

RESOLUTION NO. 837-82

CONTINUATION OF THE HEARING OF POLICE OFFICER
STEVE R. MARQUEZ, TARAVAL STATION

The matter of the hearing of Police Officer
Steve R. Marquez, Taraval Station, was called it
having been continued from the meeting of
September 22, 1982.

Police Officer Steve R. Marquex appeared in
person and was represented by Mr. Stephen Bruce
Bley, Attorney at Law.

Mr. Jerry Akins appeared on behalf of the
San Francisco Police Department.

The following named witnesses were called by
the Defense, sworn and testified:

Police Officer Thomas Argo
Mission Station

Police Officer Steve R. Marquez
Taraval Station

After listening to testimony from the above
parties, the Commission then adjourned at 2020
hours and the matter was continued until at such
time as the Internal Affairs Division has conducted
a more indepth investigation of the matter, there-
after notifying the Commission as to when the hear-
ing of Police Officer Steve R. Marquez may be resumed.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

(The entire proceedings were taken in shorthand
form by Hearing Reporter Bonnie Mortley, CSR)

RESOLUTION NO. 835-82

REQUEST OF MR. NAZZARENO ANDREOLI TO SUSPEND OPERATION
OF HIS JITNEY BUS PERMIT FROM SEPTEMBER 30, 1982 TO
DECEMBER 28, 1982 - APPROVED

WHEREAS, Mr. Nazzareno Andreoli has requested
that permission be granted to suspend operation of
his motor vehicle for hire permit from September 30,
1982 to December 28, 1982; and

WHEREAS, Mr. Andreoli did not appear in person
and was not represented by counsel; therefore be it

RESOLVED, that it is the order of the Police Commission that the request of Mr. Nazzareno Andreoli for permission to suspend operation of his motor vehicle for hire permit from September 30, 1982 to December 28, 1982, be, and the same is hereby approved.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

The Commission then adjourned its meeting at
8:20 p.m.


ACTING SECRETARY

20 OCTOBER 1982

REGULAR SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, October 20, 1982 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Toler, Nelder, Murphy

ABSENT: Commissioner Sanchez

Commissioner Murphy presiding.

DOCUMENTS DEPT.

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RESOLUTION NO. 838-82

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BAYVIEW PROPERTY MANAGERS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bayview Property Managers against the City and County of San Francisco in the sum of \$300.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 9, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 839-82

CHEUK TIN YAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Cheuk Tin Yan against the City and County of San Francisco in the sum of \$1,443.75 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 19, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy
ABSENT: Commissioner Sanchez

RESOLUTION NO. 840-82

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Harapan Development, Inc. against the City and County of San Francisco in the sum of \$257.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 30, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy
ABSENT: Commissioner Sanchez

RESOLUTION NO. 841-82

INTRASTATE RADIOTELEPHONE, INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Intrastate Radiotelephone, Inc. against the City and County of San Francisco in the sum of \$181.05 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 9, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy
ABSENT: Commissioner Sanchez

RESOLUTION NO. 842-82

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Courtesy Tow against the City and County of San Francisco in the sum of \$393.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 24, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy
ABSENT: Commissioner Sanchez

RESOLUTION NO. 843-82

TED NOCKOWITZ dba METROPOLITAN LOAN COMPANY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ted Nockowitz dba Metropolitan Loan Company against the City and County of San Francisco in the sum of \$1,725.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 26, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy
ABSENT: Commissioner Sanchez

RESOLUTION NO. 844-82

AUDREY CHAMLEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Audrey Chamley against the City and County of San Francisco in the sum of \$73.49 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 1, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy
ABSENT: Commissioner Sanchez

RESOLUTION NO. 845-82

TERESA ANN MOSES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Teresa Ann Moses against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 26, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy
ABSENT: Commissioner Sanchez

RESOLUTION NO. 846-82

JANE ELDRIDGE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jane Eldridge against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 1, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy
ABSENT: Commissioner Sanchez

RESOLUTION NO. 847-82

ALFRED P. WINTER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alfred P. Winter against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 27, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy
ABSENT: Commissioner Sanchez

RESOLUTION NO. 848-82

DAVID L. TAYLOR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David L. Taylor against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 13, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy
ABSENT: Commissioner Sanchez

RESOLUTION NO. 849-82

HAYDEN JON LEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Hayden Jon Lee against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 5, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy
ABSENT: Commissioner Sanchez

RESOLUTION NO. 850-82

JACK K. QUAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jack K. Quan against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 4, 1982.

AYES: Commissioners Daly, Nelder, Toler, Murphy
ABSENT: Commissioner Sanchez

RESOLUTION NO. 851-82

JAMES E. DAVIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James E. Davis against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 26, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy
ABSENT: Commissioner Sanchez

RESOLUTION NO. 852-82

STEVEN M. PUCKETT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Steven M. Puckett against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 9, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy
ABSENT: Commissioner Sanchez

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLUTION NO. 853-82

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Police Officer Daniel Boyd	) \$888.00	(Eastman Kodak Law
Police Officer Charles Larson	) each	(Enforcement Work-
		(shop
		(Rochester, New York
		(09/20/82 - 09/24/82

AYES: Commissioners Daly, Nelder, Toler, Murphy
ABSENT: Commissioner Sanchez

RESOLUTION NO. 854-82

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Inspector Herman Clark) \$800.00 (Federal Bureau of
(Investigation National
(Academy
(Quantico, Virginia
(07/11/82-09/24/82

AYES: Commissioners Daly, Nelder, Toler, Murphy
ABSENT: Commissioner Sanchez

RESOLUTION NO. 855-82

AUTHORIZING ATTENDANCE OF INSPECTORS ROBERT McALLISTER,
WILLIAM GAY AND JOHN MAROTTO, GENERAL WORKS DETAIL, AT
THE CRIMINAL INVESTIGATION COURSE IN SACRAMENTO,
CALIFORNIA FROM OCTOBER 25 TO OCTOBER 29, 1982.

RESOLVED, that the recommendation of the Chief of Police that Inspectors Robert McAllister, William Gay and John Marotto, General Works Detail be authorized to attend the Criminal Investigation Course in Sacramento, California from October 25 to October 29, 1982, be, and the same is hereby approved.

RESOLVED, that expenses incurred by Inspectors McAllister, Gay and Marotto in a sum not to exceed \$305.00 each will be reimbursed by P.O.S.T.

AYES: Commissioners Daly, Nelder, Toler, Murphy
ABSENT: Commissioner Sanchez

RESOLUTION NO. 856-82

AUTHORIZING ATTENDANCE OF SERGEANT/INSPECTOR GERALD
McCARTHY, INTELLIGENCE DIVISION, AT THE INTERNATIONAL
ASSOCIATION OF BOMB TECHNICIANS AND INVESTIGATORS
IN-SERVICE TRAINING CONFERENCE, IN LAKE TAHOE,
NEVADA FROM OCTOBER 26 TO OCTOBER 29, 1982.

RESOLVED, that the recommendation of the Chief of Police, that Sergeant/Inspector Gerald McCarthy, Intelligence Division, be authorized to attend the International Association of Bomb Technicians and Investigators In-Service Training Conference, in Lake Tahoe, Nevada from October 26 to October 29, 1982, be, and the same is hereby approved.

RESOLVED, that expenses incurred by Sergeant/Inspector McCarthy in a sum not to exceed \$355.00 will be defrayed by the San Francisco Police Department Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy
ABSENT: Commissioner Sanchez

HEARING ON THE MATTER OF JESUS LOSA, JITNEY PERMIT
#72

Mr. Jesus Losa and his attorney appeared before the Police Commission in regard to Mr. Losa's request for permission to allow him to hire another driver to operate his permit on his Third Street jitney bus

route.

After listening to testimony from members of the Transport Union Workers, representatives of Muni Railway, Mr. Losa's attorney and Mr. Losa, the Police Commission having been informed by Police Officer Lamont Suslow that Mr. Losa's request could be handled by the Permit Bureau, the Commission decided that the matter was not properly before the Police Commission and therefore assigned it to be adjudicated by the Police Department's Permit Bureau.

The matter of Mr. Losa's jitney bus size and number of passengers that he carried was not a matter also properly before the Police Commission as members of the Transport Union Workers requested that his permit to operate a bus the size of Mr. Losa's with 21 passengers, be revoked, was not granted by the Commission. It was brought to the Commission's attention that the Public Utilities Commission and Board of Supervisors were working on proposed legislation to limit the number of passengers to 15 that a jitney bus operator/owner would be allowed to carry.

The Police Commission advised that it would take the whole matter undersubmission and if and when such legislation came into effect, the Police Commission would abide by those guidelines.

RECEIPT OF GENERAL ORDER I-13, MISSING PERSONS
REPORTING - (COPIES SENT TO EMPLOYEE ORGANIZATIONS) -
CONTINUED ONE WEEK

AYES: Commissioners Daly, Nelder, Toler, Murphy
ABSENT: Commissioner Sanchez

REQUEST OF THE CHIEF OF POLICE FOR APPROVAL OF THE
POLICE DEPARTMENT'S SUGGESTION COMMITTEE PLAN - APPROVED

The Police Commission forwarded to the Mayor's Office the Police Department's Suggestion Committee Plan. Upon approval by the Mayor's Office, the Commission will once again have it on the Commission calendar, thereafter, probably adopting it by resolution for finalization of a General Order to implement the program.

RESOLUTION NO. 857-82

POLICE OFFICER DEBORAH FRANKS, CRIMINAL INFORMATION
DIVISION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Deborah Franks, Criminal Information Division, as follows:

SPECIFICATION NO. 1

Failure to prevent crime while off-duty
(violation of Rule A-2 of General Order D-1
of the San Francisco Police Department).

SPECIFICATION NO. 2

Failure to make a written report of a
serious crime which is brought to a member's
attention while off-duty (violation of Rule
A-26A of General Order D-1 of the San Fran-
cisco Police Department).

SPECIFICATION NO. 3

Engaging in conduct which tends to subvert the
good order, efficiency or discipline of the
department and which reflects discredit upon
the department (violation of Rule A-9 of
General Order D-1 of the San Francisco Police
Department).

by Cornelius P. Murphy, Chief of Police of the San Fran-
cisco Police Department; therefore be it

RESOLVED, that the date for the setting of the
hearing of the disciplinary charges filed against
Police Officer Deborah Franks, Criminal Information
Division, is set for Wednesday, November 3, 1982, at
5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Toler, Nelder, Daly, Murphy
ABSENT: Commissioner Sanchez

RESOLUTION NO. 862-82

HEARING OF POLICE OFFICER TEDDY M. QUERUBIN, MISSION
STATION - CONTINUED FROM MEETING OF SEPTEMBER 22, 1982

WHEREAS, the hearing of Police Officer Teddy M.
Querubin, Mission Station, was called it having been
set for this date; and

WHEREAS, it has been requested by Mr. Stephen
Bruce Bley, attorney for Officer Querubin, that the
matter be continued to November 3, 1982; therefore
be it

RESOLVED, that the hearing of the disciplinary
charges filed against Police Officer Teddy M.
Querubin, Mission Station, is continued to Wednesday,
November 3, 1982, at 5:00 p.m. in Room 551, Hall of
Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy
ABSENT: Commissioner Sanchez

RESOLUTION NO. 863-82

HEARING OF POLICE OFFICER TEDDY M. QUERUBIN, MISSION
STATION - CONTINUED FROM SEPTEMBER 22, 1982

WHEREAS, the hearing of Police Officer Teddy M. Querubin, Mission Station, was called it having been set for this date; and

WHEREAS, it has been requested by Mr. Stephen B. Bley, attorney for Officer Querubin, that the matter be continued to November 3, 1982; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Teddy M. Querubin, Mission Station, is continued to Wednesday, November 3, 1982, at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy
ABSENT: Commissioner Sanchez

RESOLUTION NO. 858-82

HEARING OF POLICE OFFICER MICHAEL L. HUGHES, MUNI TRANSIT DIVISION - CONTINUED FROM MEETING OF SEPTEMBER 15, 1982

WHEREAS, the hearing of Police Officer Michael L. Hughes, Muni Transit Division, was called it having been set for this date; and

WHEREAS, it has been requested by Mr. James Collins, attorney for Officer Hughes, that the hearing before the Police Commission be continued to November 17, 1982; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Michael L. Hughes, Muni Transit Division, is continued to Wednesday, November 17, 1982 at 5:00 p.m., Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy
ABSENT: Commissioner Sanchez

RESOLUTION NO. 859-82

HEARING OF POLICE OFFICER REGINALD REESE, SUPPORT SERVICES BUREAU - CONTINUED FROM MEETING OF OCTOBER 13, 1982

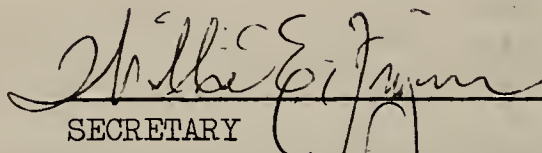
WHEREAS, the hearing of Police Officer Reese, Support Services Bureau, was called it having been set for this date; and

WHEREAS, it has been requested by J. William Conroy, attorney for Officer Reese, that the matter be continued to October 27, 1982; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Reginald Reese, Support Services Bureau, is continued to Wednesday, October 27, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy
ABSENT: Commissioner Sanchez

The Commission then adjourned its meeting at
6:45 p.m.


SECRETARY

27 OCTOBER 1982

1700 HOURS

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, October 13, 1982, at 1700 hours in regular session.

PRESENT: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

Commissioner Sanchez presiding.

DOCUMENTS DEPT.

JAN 3 1983

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RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of Traffic on the public streets, be, and the same are hereby approved:

2701 SUTTER STREET - PRESIDIO WAY VETERINARY CLINIC

a) At 2701 Sutter Street, install 22' green zone extending from the east property line, 22' west on Sutter.

924 PRESIDIO STREET - JOSEPHINES

a) At 924 Presidio, install 20' white zone extending from South property line, 20' North of same.

2701 BRYANT STREET - J.L. MARKET

a) At 2701 Bryant Street, install 22' yellow zone extending from 9' to 31' South of 25th Street.

400 COLUMBUS AVENUE - CAFE ROMA

a) At 400 Columbus Avenue, install 22' Special Truck Loading Zone, extending 12' to 34' West of Vallejo.

b) Meter 404 - 7AM to 1PM.

444 COLUMBUS AVENUE - MILLEFIORI INN

a) At 444 Columbus Avenue, install 22' white zone - Passenger Loading 3PM - 10PM - Sign on Meter #418.

601 VAN NESS AVENUE - OPERA PLAZA

a) At 601 Van Ness Avenue, install 88' white zone extending from 80' to 168' North of the South property line.

2917 24TH STREET - CHINA BOOKS AND PERIODICALS

a) At 2917 24th Street, install 22' yellow zone extending from 18' to 40' west of the east property line of 2917 24th Street. Revoke existing white zone.

395 26TH AVENUE - ROBERT B. MELLARD REAL ESTATE - DENIED

a) At 395 26th Avenue, install 21' white zone extending from 4' - 25' north of Clement. DENIED

935 FOLSOM STREET - S.F.P.D. - REVOKED

- a) At 935 Folsom Street, revoke existing 30' yellow zone extending east of driveway at 935 Folsom.
- b) Revoke 60' yellow zone extending from 6' to 66' east of Falmouth Street.

1501 LEAVENWORTH STREET - S.F.P.D. - REVOKED

- a) At 1501 Leavenworth Street, revoke 22' white zone extending from 15' to 37' north of south property line.

110 JESSIE STREET - S.F.P.D. - REVOKED

- a) At 110 Jessie Street, revoke existing 19' yellow zone extending from 41' to 60' west of 2nd Street.

1222 FOLSOM STREET - S.F.P.D. - REVOKED

- a) At 1222 Folsom Street, revoke existing 22' green zone extending from west of the east building line.

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 153 feet of red, green and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Nelder, Toler, Murphy,
Sanchez

ABSENT: Commissioner Daly

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

- a) Lieutenant Robert L. Kafka, Ingleside Station, for service, effective October 6, 1982.
- b) Sergeant William I. Glickman, Police Range, for service, effective October 1, 1982.
- c) Sergeant Patrick K. Simmons, Vice Crimes Division, for service, effective October 13, 1982.
- d) Sergeant George E. Clement, Taraval Station, for service, effective September 22, 1982.
- e) Sergeant Edward A. Liggins, Sr., Legal Office, for service, effective September 22, 1982.
- f) Police Officer Hubert T. Kennedy, Support Services Bureau - Warrants, for service, effective September 22, 1982.
- g) Police Officer Vernon Ware, Potrero Station, for service, effective September 22, 1982.
- h) Senior Storekeeper William P. Carle, Property Clerk's, for service, effective October 20, 1982.

RESOLUTION NO. 873-82

CHARLES DIXON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Charles Dixon against the City and County of San Francisco in the sum of \$250.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 19, 1978

AYES: Commissioners Nelder, Toler, Murphy, Sanchez
ABSENT: Commissioner Daly

RESOLUTION NO. 874-82

ANTHONY IATAROLA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Anthony Iatarola against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 7, 1982

AYES: Commissioners Nelder, Toler, Murphy, Sanchez
ABSENT: Commissioner Daly

RESOLUTION NO. 875-82

JACQUELYN KIERNAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jacquelyn Kiernan against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 8, 1982

AYES: Commissioners Nelder, Toler, Murphy, Sanchez
ABSENT: Commissioner Daly

RESOLUTION NO. 876-82

SEAN KAO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sean Kao against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 8, 1982

AYES: Commissioners Nelder, Toler, Murphy, Sanchez
ABSENT: Commissioner Daly

RESOLUTION NO. 877-82

JAMES EMMETT HARRIGAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James Emmett Harrigan against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 16, 1982

AYES: Commissioners Toler, Nelder, Murphy, Sanchez
ABSENT: Commissioner Daly

RESOLUTION NO. 878-82

CLAIRE WIBROE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Claire Wibrow against the City and County of San Francisco in the sum of \$77.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 7, 1982

AYES: Commissioners Nelder, Toler, Murphy, Sanchez
ABSENT: Commissioner Daly

RESOLUTION NO. 879-82

ERNEST A. TAYLOR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ernest A. Taylor against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 26, 1982

AYES: Commissioners Nelder, Toler, Murphy, Sanchez
ABSENT: Commissioner Daly

RESOLUTION NO. 880-82

SHEILA MARKS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sheila Marks against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 23, 1982

AYES: Commissioners Nelder, Toler, Murphy, Sanchez
ABSENT: Commissioner Daly

RESOLUTION NO. 881-82

JOEL HEATON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Josel Heaton against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 3, 1982

AYES: Commissioners Nelder, Toler, Murphy, Sanchez
ABSENT: Commissioner Daly

RESOLUTION NO. 882-82

MARCO GIULIACCI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marco Giuliacci against the City and County of San Francisco in the sum of \$68.40 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 21, 1982

AYES: Commissioners Nelder, Toler, Murphy, Sanchez
ABSENT: Commissioner Daly

RESOLUTION NO. 883-82

ELVIS G. DAMON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elvis G. Damon against the City and County of San Francisco in the sum of \$702.40 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 21, 1982

AYES: Commissioners Nelder, Toler, Murphy, Sanchez
ABSENT: Commissioner Daly

RESOLUTION NO. 884-82

JOE COOKE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joe Cooke against the City and County of San Francisco in the sum of \$165.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 8, 1982

AYES: Commissioners Nelder, Toler, Murphy, Sanchez
ABSENT: Commissioner Daly

RESOLUTION NO. 885-82

SINDI BRILL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sindi Brill against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 9, 1982

AYES: Commissioners Nelder, Toler, Murphy,
Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 886-82

SUSANNE BENDER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Susanne Bender against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 15, 1982

AYES: Commissioners Nelder, Toler, Murphy,
Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 887-82

YELLOW CAB COOP

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Yellow Cab Coop, Inc. against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 1, 1982

AYES: Commissioners Nelder, Toler, Murphy,
Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 889-82

JOYCE POLSE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joyce Polse against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 13, 1982

AYES: Commissioners Nelder, Toler, Murphy,
Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 890-82

ROSE PINEDA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rose Pineda against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 27, 1982

AYES: Commissioners Nelder, Toler, Murphy, Sanchez
ABSENT: Commissioner Daly

RESOLUTION NO. 891-82

KENNITH LEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kenneth Lee against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 13, 1982

AYES: Commissioners Nelder, Toler, Murphy, Sanchez
ABSENT: Commissioner Daly

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLUTION NO. 868-82

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Sergeant/Inspector Duane Otis) \$140.00 (P.O.S.T. Special
(Seminar for Basic
(Academy Chile/
(Abuse/Juvenile
(Law Instructors
(Sacramento, Ca.
(10/05/82 -10/06/82

AYES: Commissioners Toler, Nelder, Murphy, Sanchez
ABSENT: Commissioner Daly

RESOLUTION NO. 869-82

RESOLVED, that the Traveling Expense Voucher submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Sergeant Richard Holder)	\$875.00	(Special Weapons and
Officer Richard Barber)	Total	(Tactics Refresher
Officer Charles Keohanà)		(Training Course
Officer Mark Potter)		(Monterey, California
Officer Michael Travis)		(09/28/82 - 09/29/82
Officer Edward Dullea)		
Officer Ronald Roth .)		

AYES: Commissioners Nelder, Toler, Murphy, Sanchez
ABSENT: Commissioner Daly

RESOLUTION NO. 870-82

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Sergeant/Inspector Duane Otis)	\$35.00	(Tuition for Work-
		(shop on the Male
		(Victim of Sexual
		(Assault & the Juvenile
		(Sexual Offender
		(San Francisco, Ca.
		(10/08/82

AYES: Commissioners Nelder, Toler, Murphy, Sanchez
ABSENT: Commissioner Daly

RESOLUTION NO. 871-82

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Sergeant/Inspector Thomas Eisenmann)	\$35.00	(Tuition for Workshop
		(on the Male Victim of
		(Sexual Assault and the
		(Juvenile Sexual Offender
		(San Francisco, Ca.
		(10/08/82

AYES: Commissioners Toler, Nelder, Murphy, Sanchez
ABSENT: Commissioner Daly

RESOLUTION NO. 864-82

AUTHORIZING ATTENDANCE OF FORTY (40) PERSONNEL OF THE FIELD OPERATIONS BUREAU, PATROL DIVISION, AT A FIELD TRAINING OFFICER SEMINAR AT SANTA CRUZ, CALIFORNIA FROM NOVEMBER 14 TO NOVEMBER 19, 1982.

RESOLVED, that the recommendation of the Chief of Police that forty (40) personnel of the Field Operations Bureau, Patrol Division, be detailed to attend a Field Training Officer Seminar at Santa Cruz, California, from November 14 to November 19, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the forty personnel of the Field Operations Bureau, Patrol Division, in a sum not to exceed \$10,00.00 will be defrayed from the San Francisco Police Officers' Training Fund. P.O.S.T. will reimburse the Department 30% of trainee salaries for the period of the seminar.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez
ABSENT: Commissioner Daly

RESOLUTION NO. 905-82

AUTHORIZING ATTENDANCE OF CAPTAIN DANIEL J. MURPHY AT THE LEIU BI-ZONE WESTERN STATES CONFERENCE AT THE COMSTOCK HOTEL IN RENO, NEVADA FROM NOVEMBER 2 TO NOVEMBER 5, 1982.

RESOLVED, that the recommendation of the Chief of Police that Captain Daniel J. Murphy, Intelligence Division, be detailed to attend an LEIU Bi-Zone Western States Conference at the Comstock Hotel in Reno, Nevada from November 2 to November 5, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Captain Murphy in a sum not to exceed \$375.00 shall be defrayed from the Department Contingency Fund.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez
ABSENT: Commissioner Daly

RESOLUTION NO. 865-82

AUTHORIZING ATTENDANCE OF POLICE OFFICERS MARK POTTER AND JOHN CHESTNUT, TACTICAL DIVISION, AT A SPECIAL WEAPONS AND TACTICS LONG-RIFLE SNIPER SCHOOL IN FORT ORD, CALIFORNIA FROM NOVEMBER 8 TO NOVEMBER 12, 1982

RESOLVED, that the recommendation of the Chief of Police that Police Officers Mark Potter and John Chestnut, Tactical Division, be detailed to attend a Special Weapons and Tactics Long Rifle Sniper School at Fort Ord, California, from November 8 to November 12, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Officers Potter and Chestnut, in a sum not to exceed \$380.50 each, will be defrayed from the San Francisco Police Departments Police Officers' Training Fund. P.O.S.T. will reimburse the Department.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez
ABSENT: Commissioner Daly

RESOLUTION NO. 866-82

AUTHORIZING ATTENDANCE OF POLICE OFFICER EDWARD COLLINS, POLICE ACADEMY, TO ATTEND A TOXIC PRIMER WORKSHOP AT THE UNIVERSITY OF CALIFORNIA EXTENSION AT DAVIS, CALIFORNIA ON NOVEMBER 13, 1982.

RESOLVED, that the recommendation of the Chief of Police that Police Officer Edward Collins, Police Academy, be detailed to attend a Toxic Primer Workshop at the University of California Extension in Davis, California on November 13, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Officer Collins in a sum not to exceed \$75.50 will be defrayed from the San Francisco Police Department's Training Fund.

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 867-82

AUTHORIZING ATTENDANCE OF SERGEANT/INSPECTOR RAYMOND HILBERT, DALE SMITH AND THOMAS SULLIVAN, GENERAL WORKS DETAIL, TO ATTEND AN INTRODUCTION TO CRIME ANALYSIS COURSE AT SACRAMENTO, CALIFORNIA FROM NOVEMBER 15 TO NOVEMBER 19, 1982.

RESOLVED, that the recommendation of the Chief of Police that Sergeant/Inspectors Raymond Hilvert, Dale Smith and Thomas Sullivan, General Works Detail, be detailed to attend an introduction to Crime Analysis Course, conducted by the California Department of Justice in Sacramento, California from November 15 to November 19, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant/Inspectors Hilvert, Smith and Sullivan in a sum not to exceed \$360.00 each will be defrayed from the San Francisco Police Department's Police Officers' Special Training Fund.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 904-82

SETTING OF THE DATE FOR THE HEARING OF POLICE OFFICER BOB C. DAVIS, MISSION STATION - CONTINUED FROM MEETING OF WEDNESDAY, SEPTEMBER 15, 1982.

WHEREAS, the setting of the date for the hearing of Police Officer Bob C. Davis, Mission Station was called it having been set for this date; and

WHEREAS, it has been requested by Mr. John Prentice, attorney for Police Officer Davis, that the matter be continued to December 1, 1982; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Bob C. Davis, Mission Station, is continued to Wednesday, December 1, 1982 at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

PERMISSION TO ACCEPT A REWARD - APPROVED

The request of Officer Daniel McDonagh and Officer Jere Williams to accept a reward of \$75.00 from the United State Marine Corps for the arrest of a deserter from the Corps, be, and the same is hereby approved.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez
ABSENT: Commissioner Daly

RESOLUTION NO. 861-82

POLICE OFFICER TEDDY M. QUERUBIN, PARK POLICE STATION

WHEREAS, on July 29, 1982, Cornelius P. Murphy, Chief of Police, made and served charges against Police Officer Teddy M. Querubin as follows:

SPECIFICATION NO. 1

Engaging in conduct which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

and

WHEREAS, the Police Commission set Wednesday, November 3, 1982 as the date for the hearing on charges filed against Police Officer Teddy M. Querubin; and

WHEREAS, the Chief of Police Cornelius P. Murphy announced that the Police Department was in receipt of the resignation of Police Officer Teddy M. Querubin from the San Francisco Police Department; said resignation effective October 21, 1982, which resignation was accepted with the condition that the services of Police Officer Teddy M. Querubin have been unsatisfactory and that he does not resign in good standing; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Police Officer Teddy M. Querubin, be, and the same are hereby continued off calendar.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez
ABSENT: Commissioner Daly

RESOLUTION NO. 860-82

POLICE OFFICER TEDDY M. QUERUBIN, PARK POLICE STATION

WHEREAS, on May 14, 1982, Cornelius P. Murphy, Chief of Police, made and served charges against Police Officer Teddy M. Querubin as follows:

SPECIFICATION NO. 1

Failure to comply with department weight standards (violation of Section II, Subsection 1-A of General Order B-1 of the San Francisco Police Department).

SPECIFICATION NO. 2

Failure to obey the lawful order of a superior (violation of Section A-11 of General Order D-1)

of the San Francisco Police Department).

and

WHEREAS, the Police Commission set Wednesday, November 3, 1982 as the date for the hearing on charges filed against Police Officer Teddy M. Querubin; and

WHEREAS, Chief of Police Cornelius P. Murphy announced that the Police Department was in receipt of the resignation of Police Officer Teddy M. Querubin from the San Francisco Police Department; said resignation effective October 21, 1982, which resignation was accepted with the condition that the services of Police Officer Teddy M. Querubin have been unsatisfactory and that he does not resign in good standing; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Police Officer Teddy M. Querubin, be, and the same are hereby continued off calendar.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 909-82

APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY FOR THE OPERATION OF TAXICABS - APPROVED

WHEREAS, each of the below-named persons applied to the Police Commission for a declaration by the Commission of Public Convenience and Necessity for the issuance of permits to operate a taxicab in the City and County of San Francisco; and

WHEREAS, this matter came on for hearing before the Police Commission of the City and County of San Francisco on October 27, 1982, and

WHEREAS, applicants appeared before the Commission, and presented documentary evidence in support of their applications; and

WHEREAS, various persons testified in opposition to the granting of additional permits and documentary evidence in support of their position, was presented to the Commission; and

WHEREAS, the law requires that in order for a declaration of public convenience and necessity to be made, the applicant shall have the burden of proof to establish by clear and convincing evidence that public convenience and necessity require the operation of the vehicle for which permit application is made; and

WHEREAS, existing permit holders are, under normal conditions, inadequately serving the public in that prior to the emergence of Proposition K there were approximately 711 taxicab permits in the City and County of San Francisco; and

WHEREAS, the Commission has determined that since the advent of Proposition K the number of taxicab permits had gradually decreased to 707 and should be raised to the original level of 711; therefore be it

RESOLVED, that it is the decision of the Commission to issue 4 new taxicab permits to bring the number back up to 711 taxicab permits for the City and County of San Francisco; and be it further

RESOLVED, that said permits shall be granted under, and shall be revocable under, criteria and standards published by the Commission in conjunction with the applicable sections of the San Francisco Municipal Code, and shall be granted to the below-named applicants:

William M. Byrnes
Miguel A. Cardona
Roy R. McFall
Peter P. Berzaman

AYES: Commissioners Nelder, Toler, Murphy, Sanchez
ABSENT: Commissioner Daly

RESOLUTION NO. 872-82

DEPARTMENT GENERAL ORDER I-13 - MISSING PERSONS REPORTING

RESOLVED, that the Police Commission hereby adopts Department General Order I-13, Missing Persons Reporting.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez
ABSENT: Commissioner Daly

HEARING OF RECRUIT OFFICER REGINALD REESE, SUPPORT SERVICES BUREAU - CONTINUED FROM MEETING OF OCTOBER 20, 1982

The hearing of Recruit Officer Reginald Reese was called, it having been set for this date. Recruit Officer Reginald Reese was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Failure to report for duty (violation of Rule A-4 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to obey written orders (violation of Rule A-10 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 3

Absent without permission (violation of Section X, Rule 3-J of the Recruits' Rules and Procedures of the San Francisco Police Department);

SPECIFICATION NO. 4

Failure to notify Academy staff of absence (violation of Section X, Rule 3-K of the Recruits' Rules and Procedures of the San Francisco Police Department);

SPECIFICATION NO. 5

Failure to be respectful to a superior officer (violation of Rule A-13 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Recruit Officer Reginald Reese appeared in person and was represented by Mr. J. W. Conroy, Attorney at Law.

Mr. Michael Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement was made by Attorney Gash for the Prosecution.

No opening statement was made by Attorney Conroy for the Defense.

The following named witnesses were called by the Prosecution, were sworn and testified:

Officer Frank Machi, Police Academy

Sergeant Billy E. Morrow, Police Academy

Officer Lawrence M. Ryan, Police Academy

The following named witnesses were called by the Defense, were sworn and testified:

Recruit Officer Reginald Reese, Support Services Bureau

The following exhibits were entered into evidence by the Defense:

Exhibit A - Police Academy anecdotal record on Recruit Officer Reginald Reese.

Attorneys for the Police Department and for the Defense submitted their cases and thereafter Mr. Michael Gash presented a closing statement and Mr. J. W. Conroy also submitted his closing statement.

The Commission took the matter under submission after which the following resolution was adopted:

RESOLUTION NO. 892-82

DECISION - HEARING OF RECRUIT OFFICER REGINALD REESE,
SUPPORT SERVICES BUREAU

WHEREAS, on October 6, 1982, Cornelius P. Murphy, Chief of Police of the San Francisco Police Department, made and served charges against Recruit Officer Reginald Reese as follows:

SPECIFICATION NO. 1

- (a) From April 26, 1982, until about July 7, 1982, Recruit Officer Reginald B. Reese was a member of the 150th Recruit Class, on his probationary period of employment assigned to the Police Academy;
- (b) Since September 20, 1982, Recruit Officer Reese was a member of the 152nd Recruit Class, on his probationary period of employment assigned to the Police Academy;
- (c) As a member of the 150th and 152nd Recruit Classes, Recruit Officer Reese acknowledged having read, and having explained to him the abridged Rules and Procedures of the San Francisco Police Department and the Recruit School Operations Manual, Rules and Procedures;
- (d) On July 2, 1982, Recruit Officer Reese was scheduled to appear in civil court at 0900 hours. At 1600 hours, Recruit Officer Reese telephoned the Academy and notified the staff that he would not be reporting to class on that day;
- (e) Recruit Officer Reese completed his court appearance on July 2, 1982 at 1030 hours;
- (f) On September 29, 1982, Recruit Officer Reese failed to report for assignment at the Police Academy;
- (g) Recruit Officer Reese did not obtain permission from the Training and Counseling Assistant or the Recruit Staff Supervisor prior to being absent from training on September 29, 1982;
- (h) Recruit Officer Reese failed to notify the Recruit Staff Supervisor or the Recruit Training and Counseling Assistant, prior to the scheduled start of training, that he would be absent on September 29, 1982.
- (i) Recruit Officer Reese's failure to report for duty as assigned on September 29, 1982, and his failure to report for duty after appearing in Civil Court on July 2, 1982, constitute violations of Rule A-4 of General Order D-2 of the San Francisco Police Department which states:

"Members shall report for duty at the time and place required by assignment and shall be physically and mentally fit to perform their duties."

SPECIFICATION NO. 2

- (a) Each and every allegation contained in paragraphs (a) through (i) of Specification No. 1 are hereby incorporated by reference as though each were fully set forth herein;
- (b) On May 24, 1982, Recruit Officer Reese was late reporting to class at the Police Academy;
- (c) On May 24, 1982, Recruit Officer Reese failed to submit an intra-departmental report to the Recruit Training Supervisor explaining his tardiness after being ordered to do so;
- (d) Section X, 3-M of the Recruit School Operations Manual Rules and Procedures states:

"Any absence or tardiness for any reason shall be the subject of an intra-departmental report to the Recruit Training Supervisor by the recruit as to the reason for the tardiness or absence. The report shall be submitted the next succeeding day or between the next class break period, whichever occurs first."

- (e) Recruit Officer Reese's failure to submit an intra-departmental report to the Recruit Training Supervisor on May 24, 1982, explaining his tardiness, constitutes a violation of Rule A-10 of General Order D-1 of the San Francisco Police Department which states:

"Members shall obey all written orders of the department applicable to their respective assignments.:

SPECIFICATION NO. 3

- (a) Each and every allegation contained in paragraph (a) through (i) of Specification No. 1 and paragraphs (a) through (e) of Specification No. 2 are hereby incorporated by reference as though each were fully set forth herein;
- (b) Recruit Officer Reese's failure to obtain permission from the Training and Counseling Assistant or Recruit Staff Supervisor, prior to being absent from training constitutes a violation of Section X, Rule 3-J of the Recruits' Rules and Procedures of the San Francisco Police Department which states:

"A recruit shall not absent himself from any training without first obtaining permission from the Training and Counseling Assistant or Recruit Staff Supervisor. A recruit shall not leave the training facility or grounds without first obtaining permission."

SPECIFICATION NO. 4

- (a) Each and every allegation contained in paragraphs (a) through (i) of Specification No. 1 and (a) through (e) of Specification No. 2

are hereby incorporated by reference as though each were fully set forth herein;

- (b) Recruit Officer Reese's failure to obtain permission from the Training and Counseling Assistant or Recruit Staff Supervisor, prior to being absent from training constitutes a violation of Section X, Rule 3-J of the Recruits' Rules and Procedures of the San Francisco Police Department which states:

"A recruit shall not absent himself from any training without first obtaining permission from the Training and Counseling Assistant or Recruit Staff Supervisor. A recruit shall not leave the training facility or grounds without first obtaining permission."

SPECIFICATION NO. 4

- (a) Each and every allegation contained in paragraphs (a) through (i) of Specification No. 1 and (a) through (e) of Specification No. 2 are hereby incorporated by reference as though each were fully incorporated by reference as though each were fully set forth herein;

- (b) Recruit Officer Reese's failure to notify the Recruit Staff Supervisor or the Recruit Training and Counseling Assistant, prior to the scheduled start of training, that he would be absent on September 29, 1982, constitutes a violation of Section X, Rule 3-K of the Recruits' Rules and Procedures of the San Francisco Police Department which states:

"Should any recruit realize that he is going to be late or absent prior to the scheduled start of training, immediate notification to the Recruit Staff Supervisor or Recruit Training and Counseling Assistant shall be made."

SPECIFICATION NO. 5

- (a) Each and every allegation contained in paragraphs (a) through (i) of Specification No. 1 and (a) through (e) of Specification No. 2 are hereby incorporated by reference as though each were fully set forth herein;

- (b) On June 9, 1982, Recruit Officer Reese was late reporting to class at the Police Academy;

- (c) On June 22, 1982, Recruit Officer Reese was counseled by Officer Lawrence Ryan of the Academy Staff regarding his tardiness to class. Recruit Officer Reese's response to Officer Ryan was disrespectful and argumentative;

- (d) Recruit Officer Reese's response to Officer Ryan's counseling constitutes a violation of Rule A-31 of General Order D-1 of the San Francisco Police Department which states:

"Members shall be respectful to superior officers at all times."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, October 27, 1982 and on Wednesday, October 27, 1982 the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Recruit Officer Reginald Reese as contained in Specification No. 1, violation of Rule A-4 of General Order D-1, Specification No. 2, violation of Rule A-10 of General Order D-1, Specification No. 3, violation of Section X, Rule 3-J of the Recruits' Rules and Procedures, Specification No. 4, violation of Section X, Rule 3-K of the Recruits' Rules and Procedures, Specification No. 5, violation of Rule A-13 of General Order D-1 of the San Francisco Police Department are sustained by the evidence presented in the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Recruit Officer Reginald Reese has violated Rule A-4, Rule A-10 and Rule A-13 of General Order D-1, and Section X, Rule 3-J, and Section X, Rule 3-K of the Recruits' Rules and Procedures of the San Francisco Police Department; and for said violations he shall be dismissed from the San Francisco Police Department; and be it further

RESOLVED, that said dismissal, effective immediately, be, and the same is hereby affirmed and approved.

AYES: Commissioners Nelder, Toler, Murphy,
Sanchez'

ABSENT: Commissioner Daly

(The entire proceedings were taken in shorthand form by Bonnie Mortley, CSR).

HEARING ON THE SELECTION OF A POLICE FINGERPRINT
COMPUTER - CONTINUED TO NOVEMBER 3, 1982

AYES: Commissioners Nelder, Toler, Murphy,
Sanchez

ABSENT: Commissioner Daly

PUBLIC HEARING RELATIVE TO DEPARTMENT GENERAL ORDER
D-3, RIGHTS OF ONLOOKERS AT THE SCENE OF AN INCIDENT
(CONTINUED FROM MEETING OF OCTOBER 13, 1982) -
CONTINUED ONE WEEK.

AYES: Commissioners Nelder, Toler, Murphy,
Sanchez

ABSENT: Commissioner Daly

SPECIFICATION NO. 2

- (a) Each and every allegation contained in paragraphs (a) through (i) of Specification No. 1 are hereby incorporated by reference as though each were fully set forth herein;
- (b) On May 24, 1982, Recruit Officer Reese was late reporting to class at the Police Academy;
- (c) On May 24, 1982, Recruit Officer Reese failed to submit an intra-departmental report to the Recruit Training Supervisor explaining his tardiness after being ordered to do so;
- (d) Section X, 3-M of the Recruit School Operations Manual Rules and Procedures states:

"Any absence or tardiness for any reason shall be the subject of an intra-departmental report to the Recruit Training Supervisor by the recruit as to the reason for the tardiness or absence. The report shall be submitted the next succeeding day or between the next class break period, whichever occurs first."

- (e) Recruit Officer Reese's failure to submit an intra-departmental report to the Recruit Training Supervisor on May 24, 1982, explaining his tardiness, constitutes a violation of Rule A-10 of General Order D-1 of the San Francisco Police Department which states:

"Members shall obey all written orders of the department applicable to their respective assignments.:

SPECIFICATION NO. 3

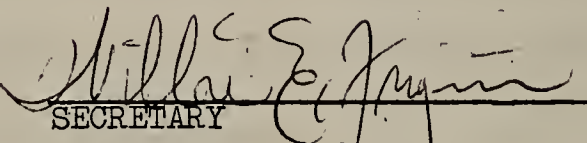
- (a) Each and every allegation contained in paragraph (a) through (i) of Specification No. 1 and paragraphs (a) through (e) of Specification No. 2 are hereby incorporated by reference as though each were fully set forth herein;
- (b) Recruit Officer Reese's failure to obtain permission from the Training and Counseling Assistant or Recruit Staff Supervisor, prior to being absent from training constitutes a violation of Section X, Rule 3-J of the Recruits' Rules and Procedures of the San Francisco Police Department which states:

"A recruit shall not absent himself from any training without first obtaining permission from the Training and Counseling Assistant or Recruit Staff Supervisor. A recruit shall not leave the training facility or grounds without first obtaining permission."

SPECIFICATION NO. 4

- (a) Each and every allegation contained in paragraphs (a) through (i) of Specification No. 1 and (a) through (e) of Specification No. 2

The Commission then adjourned its meeting at
9:30 P.M.


SECRETARY

3 NOVEMBER 1982

EXECUTIVE SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Wednesday, November 3, 1982 at 1630 hours in Executive Session.

PRESENT: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

Commissioner Sanchez presiding.

DOCUMENTS DEPT.

1) Attorney-Client Conference

JAN 3 1983

No vote was taken.

SAN FRANCISCO
PUBLIC LIBRARY

3 NOVEMBER 1982

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, November 3, 1982 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

Commissioner Sanchez presiding.

RESOLUTION NO. 892-82

FRANKIE J. WILSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frankie J. Wilson against the City and County of San Francisco in the sum of \$2,305.50 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 7, 1979

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 893-82

SHELLY FERNANDEZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Shelly Fernandez against the City and County of San Francisco in the sum of \$3,561.39 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 21, 1979

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 894-82

GEORGE A. HELMER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of George A. Helmer against the City and County of San Francisco in the sum of \$2,950.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 14, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

DELVIN TAKASHI KONRAI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Delvin Takashi Konrai against the City and County of San Francisco in the sum of \$4,800.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 2, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLUTION NO. 896-82

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Sergeant John Currie	)		(Weaponless Defense
Police Officer Heather Fong	)	\$552.00	(Instructor Course
Police Officer Frank McConagh)	each		(Santa Rosa, Ca.
			(10/04/82-10/15/82

RESOLUTION NO. 897-82

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Sgt./Inspector J. Peter Otten)		(California Sexual
Insp. Robert Huegle	)	(Assault Investi-
Insp. Margaret Hartmann	)	(gators Annual
Insp. Gary Lemos	) each	(Training Conference
		(Fresno, Ca.
		(09/29/82-10/01/82

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 898-82

AUTHORIZING ATTENDANCE OF POLICE OFFICER TRAVIS TAPIA, COMMUNITY RELATIONS UNIT, AT A NON-VIOLENT PHYSICAL CRISIS INTERVENTION AND NON-VIOLENT MANAGEMENT OF DISRUPTIVE, ASSAULTIVE OR OUT OF CONTROL BEHAVIOR AT OAKLAND, CALIFORNIA FROM NOVEMBER 22 TO NOVEMBER 23, 1982.

RESOLVED, that the recommendation of the Chief of Police that Officer Travis Tapia, Community Relations Unit, be detailed to attend a Non-Violent Physical Crisis Intervention and Non-Violent Management of Disruptive, Assaultive or Out-of-Control Behavior at Oakland, California from November 22 to November 23, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Officer Tapia, in a sum not to exceed \$295.00 will be defrayed from the Department Training Fund.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 922-82

RECOMMENDATIONS OF AWARDS COMMITTEE - APPROVED

RESOLVED, that the following named members of the Police Department, be, and they are hereby granted Awards of Valor - Gold, Silver, Medal, Bronze Medal, under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department, as approved by the Awards Committee on Friday, October 29, 1982:

Police Officer Tyree E. Banks.....	Silver Medal of Valor
Police Officer Daniel P. Gardner.....	Silver Medal of Valor
Police Officer Leroy (nmi) Henry, Jr....	Silver Medal of Valor
Inspector Dennis P. Martel.....	Bronze Medal of Valor
Inspector Dennis J. Schardt.....	Bronze Medal of Valor
Inspector Thomas F. Tyrell.....	Bronze Medal of Valor
Assistant Insp. James M. Chase.....	Bronze Medal of Valor
Assistant Insp. Jerome A. DeFilippo....	Bronze Medal of Valor
Assistant Insp. Robert W. Donsbach....	Bronze Medal of Valor
Assistant Insp. William C. Faust.....	Bronze Medal of Valor
Sergeant Gary A. Elsenbroich.....	Bronze Medal of Valor
Sergeant Ronald J. Vernali.....	Bronze Medal of Valor
Police Officer Robert L. Armanino.....	Bronze Medal of Valor
Police Officer Kenneth W. Blevins.....	Bronze Medal of Valor

Police Officer James A. Calonico.....Bronze Medal
of Valor
Police Officer Michael M. Conway.....Bronze Medal
of Valor
Police Officer Corbett F. Dickey.....Bronze Medal
of Valor
Police Officer Mark Donzelli.....Bronze Medal
of Valor
Police Officer John M. Farnham.....Bronze Medal
of Valor
Police Officer Douglas D. Hansen.....Bronze Medal
of Valor
Police Officer Donald R. Hicks.....Bronze Medal
of Valor
Police Officer Randall P. Kocher.....Bronze Medal
of Valor
Police Officer Charles W. Lofgren....Bronze Medal
of Valor
Police Officer Michael C. Norman.....Bronze Medal
of Valor
Police Officer Luis A. Schonborn.....Bronze Medal
of Valor
Police Officer Kenneth P. Stocker....Bronze Medal
of Valor
Police Officer James M. Strange.....Bronze Medal
of Valor
Police Officer Joseph L. Weatherman..Bronze Medal
of Valor
Police Officer Wesley M. Yee.....Bronze Medal
of Valor

AYES: Commissioners Daly, Toler, Nelder,
Murphy, Sanchez

RESOLUTION NO. 923-82

REWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT

WHEREAS, the following named members of the Police Department have been commended for courageous service under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission held on Wednesday, November 3, 1982; and

WHEREAS, Chief of Police Cornelius P. Murphy has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405 (a) (4) of the Charter of the City and County of San Francisco, therefore be it

RESOLVED, that Police Officers Tyree E. Banks, Daniel P. Gardner and Leroy (nmi) Henry, Jr., be, and they are hereby awarded Silver Medals of Valor and granted a reward of \$100.00 each, as provided for under said section of the Charter; and be it further

RESOLVED, that Inspector Dennis P. Martel, Inspector Dennis J. Schardt, Inspector Thomas F. Tyrell, Assistant Inspector James M. Chase, Assistant Inspector Jerome A. DeFilippo, Assistant Inspector Robert W. Donsbach, Assistant Inspector William C. Faust, Sergeant Gary A. Elsenbroich, Sergeant Ronald J. Vernali, Police Officer Robert L. Armanino, Police Officer Kenneth W. Blevins, Police Officer James A. Calonico, Police Officer Michael M. Conway, Police Officer Corbett F. Dickey,

Police Officer Mark Donzelli, Police Officer John M. Farnham, Police Officer Douglas D. Hansen, Police Officer Donald R. Hicks, Police Officer Randall P. Kocher, Police Officer Charles W. Lofgren, Police Officer Michael C. Norman, Police Officer Luis A. Schonborn, Police Officer Kenneth P. Stocker, Police Officer James M. Strange, Police Officer Joseph L. Weatherman, Police Officer Wesley M. Yee, be, and they are hereby awarded Bronze Medals of Valor, and granted a reward of \$50.00 each, as provided for under said section of the Charter.

AYES: Commissioners Daly, Toler, Nelder,
Murphy, Sanchez

RESOLUTION NO. 899-82

RELEASE OF RESERVED FUNDS TO PURCHASE THE FINGER-
PRINT COMPUTER - APPROVED

WHEREAS, the Chief of Police desires to acquire an automated fingerprint identification system to aid in the detection and apprehension of serious criminal offenders; and

WHEREAS, the City and County has previously reserved funds for this purpose; and

WHEREAS, competitive bids have been received from several computer firms; and

WHEREAS, the Chief has determined that the bid submitted by Nippon Electric Company is most responsive to the requirements of the Police Department; be it therefore

RESOLVED, that the Police Commission of the City and County of San Francisco recommends that the reserved funds be released for the purpose of seeking the approval of the Mayor and Board of Supervisors to acquire the automated fingerprint identification system.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE
POLICE COMMISSION HOLD PUBLIC CONVENIENCE AND
NECESSITY HEARINGS FOR THE ISSUANCE OF JITNEY BUS
PERMITS - CONTINUED - DATE TO BE DETERMINED.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 901-82

RESOLVED, that the Police Commission hereby approves Department General Order No. D-3, Rights of Onlookers at the Scene of an Incident.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 902-82

SETTING OF DATE FOR HEARING OF SERGEANT CHARLES E.
WARREN, TACTICAL DIVISION

WHEREAS, the date to be set for the disciplinary hearing of Sergeant Charles E. Warren, Tactical Division, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Sergeant Warren, that the date for the hearing before the Police Commission be set for January 5, 1982; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Sergeant Charles E. Warren, Tactical Division, is set for Wednesday, January 5, 1983, at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy,
Sanchez

HEARING OF PATROL SPECIAL OFFICER RAYMOND A. ADKINS,
MISSION DISTRICT

The hearing of Patrol Special Officer Raymond A. Adkins, Mission Police District, was called it having been set for this date. Patrol Special Officer Raymond A. Adkins was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Failure to prevent crime (violation of Section 3.405 of the Rules and Procedures of Patrol Special Officers and Assistant Patrol Special Officers of the San Francisco Police Department);

SPECIFICATION NO. 2

Engaging in conduct which reflects discredit upon the department (violation of Section 2.13 of the Rules and Procedures of Patrol Special Officers of the San Francisco Police Department).

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Patrol Special Officer Adkins appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared as the Prosecutor for the San Francisco Police Department.

An opening statement was made by Attorney Jerry Akins.

No opening statement was made by Attorney Bley.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Mr. Richard Adams
University of San Francisco
San Francisco, California

Patrol Special Officer Raymond A. Adkins
Mission Police District
(Called by the Prosecution)

Sergeant John Robinson
Internal Affairs Division

Closing statements were then made by both the Prosecuting and Defense Attorneys.

The Commission took the matter under submission, after which the following decision was adopted:

RESOLUTION NO. 903-82

DECISION - HEARING OF PATROL SPECIAL OFFICER
RAYMOND A. ADKINS, MISSION POLICE DISTRICT

WHEREAS, on April 16, 1982, Cornelius P. Murphy, Chief of Police, made and served charges against Patrol Special Officer Raymond A. Adkins, as follows:

SPECIFICATION NO. 1

- (a) At all times mentioned herein, Raymond A. Adkins was and is a Patrol Special Officer appointed by the Honorable Police Commission of the City and County of San Francisco and assigned Beats 121 and 3 in the Southern and Mission Police Districts;
- (b) As a Patrol Special Officer, Raymond A. Adkins (hereinafter the accused) was and is responsible for knowing and obeying the Rules and Procedures of Patrol Special Officers and Assistant Patrol Special Officers of the San Francisco Police Department;
- (c) On December 2, 1981, while on duty and in uniform, the accused was observed by a citizen at the entrance to the Stud Bar at 1535 Folsom Street in the City and County of San Francisco;
- (d) Believing the accused to be a San Francisco Police Officer because of the similarity of uniforms, the citizen approached the accused requesting aid in the potential apprehension of a hit and run suspect of the citizen's vehicle who was present at the Stud Bar;
- (e) The accused told the citizen to contact the Hit and Run Detail and offered the citizen no further assistance;
- (f) As a result of the accused's failure to assist the citizen, no information was developed regarding the suspect;
- (g) By failing to assist the citizen in ascertaining further information about the suspect, the accused violated

Section 3.405 of the Rules and Procedures of Patrol Special Officers and Assistant Patrol Special Officers of the San Francisco Police Department which states that a Patrol Special Officer:

"Shall, at all times, preserve the peace, prevent crime, detect and arrest offenders, and enforce criminal laws and penal ordinances."

SPECIFICATION NO. 2

- (a) Each and every allegation contained in paragraphs (a) through (f) of Specification No. 1 are hereby incorporated by reference as though each were fully set forth herein;
- (b) By failing to assist the citizen in ascertaining further information about the suspect, the accused violated Section 2.13 of the Rules and Procedures of Patrol Special Officers and Assistant Patrol Special Officers which states that:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof, or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, November 3, 1982 and on Wednesday, November 3, 1982, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Patrol Special Officer Raymond A. Adkins, Mission Police District, as contained in Specification No. 1, violation of Section 3.405 of the Rules and Procedures of Patrol Special Officers and Assistant Patrol Special Officers of the San Francisco Police Department, and Specification No. 2, violation of Section 2.13 of the Rules and Procedures of Patrol Special Officers and Assistant Patrol Special Officers of the San Francisco Police Department, are not sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Patrol Special Officer Raymond A. Adkins has not violated Specification No. 1, Section 3.405 or Specification No. 2, Section 2.13 of the Rules and Procedures of Patrol Special Officers and Assistant Patrol Special Officers of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that Patrol Special Officer Raymond A. Adkins, Mission Station, shall be ordered by the Captain of Mission Station to be reinstructed for whatever period of time the Captain deems necessary for Patrol Special Officer Raymond A. Adkins to learn the Rules and Procedures of Patrol Special Officers and Assistant Patrol Special Officers of the San Francisco Police Department.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

(The entire proceedings were taken in shorthand form by Bonnie Mortley, CSR).

HEARING OF POLICE OFFICER ALEXANDER LUKIN, SUPPORT
SERVICES BUREAU

The hearing of Police Officer Alexander Lukin, Support Services Bureau, was called, it having been set for this date. Officer Lukin was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Unauthorized use of department property (violation of Rule A-23 of General Order D-1 of the San Francisco Police Department).

SPECIFICATION NO. 2

Engaging in conduct which tends to subvert the good order, efficiency, or discipline of the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Officer Alexander Lukin appeared in person and was represented by Mr. John Prentice, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Mr. John Prentice, Attorney for Officer Alexander Lukin, entered on behalf of Officer Lukin a plea of guilty to all specifications.

An opening statement was made by Attorney Akins for the Prosecution.

An opening statement was made by Attorney Prentice for the Defense.

The following named witness was called by the Prosecution, sworn and testified:

Captain Victor Macia, Central Station

The following named witnesses were called by the Defense, sworn and testified:

Officer Alexander Lukin, Support Services Bureau

Sergeant Raymond R. Portue, Police Academy

Officer Stephen Venters, Central Station

Officer Richard D. Reyes, Central Station

A closing statement and recommendation was made by Cornelius P. Murphy, Chief of Police.

A closing statement was made by Mr. John Prentice, attorney for Officer Lukin.

The Commission took the matter under submission after which the following resolution was adopted:

RESOLUTION NO. 905-82

DECISION - HEARING OF POLICE OFFICER ALEXANDER LUKIN,
SUPPORT SERVICES BUREAU

WHEREAS, on September 9, 1982, Cornelius P. Murphy, Chief of Police of the San Francisco Police Department, made and served charges against Police Officer Alexander Lukin as follows:

SPECIFICATION NO. 1

- (a) At all times mentioned herein, Alexander Lukin was a recruit officer employed by the San Francisco Police Department and assigned to Central Station for field training;
- (b) As a recruit officer, Alexander Lukin (hereinafter the accused), was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;
- (c) On Monday, July 26, 1982, while San Francisco Police Department sergeants from Central Station were investigating the discharge of a firearm by the accused, the sergeants observed a Motorola PIC radio in plain view on the kitchen table at the residence of the accused at 140 Shakespeare Street in the City and County of San Francisco;
- (d) The sergeants observed that the Motorola PIC Radio was marked SFPD-452;
- (e) On July 28, 1982, the accused was interviewed by the Commanding Officer of Central Station at Central Station;
- (f) In the course of the interview, the accused admitted removing Motorola PIC radio marked SFPD-452 from Communications Division and admitted taking the radio to his residence;
- (g) In the course of the interview, the accused further admitted that he neither sought nor obtained authorization for the removal of the PIC radio;
- (h) During the interview, the accused stated that he did not inform anyone in the department that he had possession of the PIC radio;
- (i) Provision of Section VI of General Order B-3 of the San Francisco Police Department do not authorize the possession or use of department PIC radio by off-duty members;
- (j) By his unauthorized use of department property, the accused has violated Rule A-23 of General Order D-1 of the San Francisco Police Department, which states:

"Members shall use department property strictly according to department procedures."

SPECIFICATION NO. 2

- (a) Each and every allegation contained in paragraphs (a) through (j) of Specification No. 1 are hereby incorporated by reference as though each were fully set forth herein;
- (b) By his unauthorized possession and use of department property, the accused deprived the department of the use of equipment necessary for efficient departmental operation and beneficial to the safety of the citizens of San Francisco;
- (c) By his unauthorized possession and use of department property and by depriving the department of the use of essential equipment, the accused engaged in conduct which tends to subvert the good order, efficiency or discipline of the department which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficerlike conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, November 3, 1982 and on Wednesday, November 3, 1982 the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Officer Alexander Lukin as contained in Specification No. 1, violation of Rule A-23 of General Order D-1 and Specification No. 2, violation of Rule A-9 of General Order D-1 of the Rules and Procedures of the San Francisco Police Department are sustained by the evidence presented in the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Recruit Officer Alexander Lukin has violated Rule A-23 of General Order D-1 and Rule A-9 of General Order D-1 of the San Francisco Police Department; and for said violations he shall be dismissed from the San Francisco Police Department, and be it further

RESOLVED, that said dismissal, effective immediately, be, and the same is hereby affirmed and approved.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

(The entire proceedings were taken in shorthand form by Bonnie Mortley, CSR)

RESOLUTION NO. 904-82

SETTING OF DATE FOR HEARING OF POLICE OFFICER DEBORAH FRANKS, CRIMINAL INFORMATION DIVISION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Deborah Franks, Criminal Information Division, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Bernard Gershater, attorney for Officer Franks, that the date for the hearing before the Police Commission be set for December 1, 1982; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Deborah Franks is set for Wednesday, December 1, 1982 at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RECEIPT OF DEPARTMENT GENERAL ORDER A-6 - DEFINITION OF TERMS - CONTINUED TWO WEEKS FOR PUBLIC HEARING TO NOVEMBER 24, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

The Commission then adjourned its meeting at 10:37 p.m.



SECRETARY

10 NOVEMBER 1982

EXECUTIVE SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Wednesday, November 10, 1982 at 1600 hours in Executive Session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

1. Attorney-Client Conference.
2. Personnel Matter to Litigation.
3. Personnel Matter.

DOCUMENTS DEPT.

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No vote was taken.

10 NOVEMBER 1982

REGULAR SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, November 10, 1982 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

RESOLUTION NO. 911-82

POLICE OFFICER MARK SOLOMON, MISSION STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Mark Solomon, Mission Station, as follows:

SPECIFICATION NO. 1

Engaging in conduct which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

SPECIFICATION NO. 2

Engaging in conduct which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

SPECIFICATION NO. 3

Engaging in conduct which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

SPECIFICATION NO. 4

Engaging in conduct which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Mark Solomon, Mission Station, is set for Wednesday, November 17, 1982 at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved.

828 MISSION STREET - THE FASHION EXPRESS - DENIED

- a) At 828 Mission Street, install 19' yellow zone extending from 11' to 30' west of the east property line of 828 Mission Street. DENIED
- b) Remove Meter MIS 828

735 CHENERY STREET - EMPANADERIA EL GAUCHO - DENIED

- a) At 735 Chenery Street, install 22' green zone extending from the east property line of 732 Chenery, 22' west. DENIED

325 KEARNY STREET - FRANK RINGI (MASTER HAIR COLORIST)

- a) At 325 Kearny Street, install 20' white zone extending from 21' to 41' south of the north property line of 325 Kearny - SPECIAL WHITE ZONE from 1PM - 4PM, sign installed on meter KEA 313

996 SHOTWELL STREET - S.F.P.D. - REVOKED

- a) At 996 Shotwell, revoke existing 22' yellow zone extending from 22' to 44' north of south property line.

#1 28TH STREET - S.F.P.D. - REVOKED

- a) At #1 28th Street, revoke existing 20' zone extending from 3' to 23' west of Guerrero Street.

154 STEINER STREET - S.F.P.D. - REVOKED

- a) At 154 Steiner Street, revoke existing 20' green zone extending from 5' to 25' south of Waller Street.

481 WALLER STREET - S.F.P.D. - REVOKED

- a) At 481 Waller Street, revoke existing 32' yellow zone extending from 18' to 50' west of the east line of the said building.

491 WALLER STREET - S.F.P.D. - REVOKED

- a) At 491 Waller Street, revoke existing 20' green zone extending from 10' to 30' east of Steiner Street.

709 LARKIN STREET - S.F.P.D. - REVOKED

- a) At 709 Larkin Street, revoke existing 27' white zone extending from 24' to 51' north of Ellis St.

1701 GREEN STREET - S.F.P.D. - REVOKED

- a) At 1701 Green Street, revoke existing 20' green zone extending from 25' to 45' west of Gough St.

1180 FOLSOM STREET - S.F.P.D. - REVOKED

- a) At 1180 Folsom Street, revoke existing 21' green zone extending from east of the west line.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 182 feet of red, green and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 915-82

PAULETTE RUSSELL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Paulette Russell against the City and County of San Francisco in the sum of \$3,000.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 24, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy,
Sanchez

RESOLUTION NO. 916-82

RESOLVED, that the Controller be and he is hereby requested to draw a voucher in favor of

Chief of Police Cornelius P. Murphy in the amount of \$6,000.00 charging same to Index Code 580217 as an advance on the Police Narcotic Fund for the month of November 1982.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 917-82

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller be and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy in the amount of \$4,000.00 charging same to Index Code 580217 as an advance on the Police Contingent Fund for the month of November, 1982.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLUTION NO. 918-82

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Sgt/Insp. Gerald McCarthy) \$355.00 (International Assoc.
(of Bomb Technicians
(and Investigators
(Lake Tahoe, Nevada
(10/26/82 - 10/29/82

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 919-82

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Insp. Edward Tank) \$280.00 (Western States Safe &
(Burglary Investigators
(Seminar
(Reno, Nevada
(10/25/82 - 10/28/82

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 920-82

AUTHORIZING ATTENDANCE OF INSPECTOR LLOYD CUNNINGHAM, INVESTIGATIONS BUREAU, AT THE FEDERAL BUREAU OF INVESTIGATION FORENSIC TRAINING PROGRAM - SPECIALIZED TOPICS IN DOCUMENT EXAMINATION, IN QUANTICO, VIRGINIA FROM NOVEMBER 28 TO DECEMBER 10, 1982.

RESOLVED, that the recommendation of the Chief of Police that Inspector Lloyd Cunningham, Investigations Bureau, be authorized to attend the Federal Bureau of Investigation Forensic Training Program-Specialized Topics in Document Examination, in Quantico, Virginia from November 28, to December 10, 1982, be, and the same is hereby approved, and be it further

RESOLVED, that all expenses incurred by Inspector Lloyd Cunningham will be paid by the Federal Bureau of Investigation with no expense to this department.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 921-82

AUTHORIZING ATTENDANCE OF INSPECTOR ROBERT SLEADD, PHOTO LAB, AT THE FEDERAL BUREAU OF INVESTIGATION FORENSIC TRAINING PROGRAM SPECIALIZING IN FORENSIC PHOTOGRAPHY IN QUANTICO, VIRGINIA FROM NOVEMBER 28 TO DECEMBER 17, 1982.

RESOLVED, that the recommendation of the Chief of Police that Inspector Robert Sleadd, Photo Lab, be authorized to attend the Federal Bureau of Investigation Forensic Training Program Specializing in Forensic Photography in Quantico, Virginia from November 28 to December 17, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that all expenses incurred by Inspector Sleadd will be paid by the Federal Bureau of Investigation with no expense to this Department.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 906-82

AUTHORIZING ATTENDANCE OF SGT/INSPECTOR BRADLEY NICHOLSON TO ATTEND THE NATIONAL COLLEGE OF JUVENILE JUSTICE WORKSHOP ON SERIOUS JUVENILE CRIME AT PHOENIX, ARIZONA FROM NOVEMBER 29, 1982 TO DECEMBER 3, 1982.

RESOLVED, that the recommendation of the Chief of Police that Sergeant/Inspector Bradley Nicholson be detailed to attend the National College of Juvenile Justice Workshop on Serious Juvenile Crime in Phoenix, Arizona from November 29 to December 3, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant/Inspector Nicholson in a sum not to exceed \$712.00 for subsistence, travel and tuition will be defrayed from the San Francisco Police Department Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 908-82

REQUEST FOR SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$297,741 TO FUND THE OPERATIONS OF THE SENIOR ESCORT OUTREACH PROGRAM - APPROVED.

RESOLVED, that the Police Commission hereby approves a request for a Supplemental Appropriation, amounting to \$297,741. Funding will be from "any legally available source.". The supplemental appropriation will fund the operations of the Senior Escort-Outreach Program for the period January 1, through June 30, 1983.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 913-82

PATROL SPECIAL OFFICER FRANK CIRIMELE - REVOKED

RESOLVED, that the appointment of Patrol Special Officer Frank J. Cirimele, deceased, Beat No. 9, Potrero Police District, be, and the same is hereby revoked effective November 10, 1982, his beat having been transferred by testate through his wife, Filomena Cirimele, to Patrol Special Officer Anthony Cirimele.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 914-82

PATROL SPECIAL OFFICER ANTHONY CIRIMELE - APPROVED

RESOLVED, that Patrol Special Officer Anthony Cirimele is hereby appointed Patrol Special Officer for Beat No. 9, Potrero Police District. Said appointment effective November 10, 1982, Patrol Special Officer Anthony Cirimele having received Beat No. 9 by testate through his mother, Filomena Cirimele, executor of the estate of Frank J. Cirimele.

AYES: Commissioners Daly, Nelder, Toler, Murphy Sanchez

RESOLUTION NO. 907-82

SETTING OF THE DATE FOR THE HEARING OF POLICE OFFICER JEFFREY WILLIAMS, MISSION STATION.

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Jeffrey Williams, Mission Station was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, attorney for the San Francisco Police Department, that the date for the setting of the date for the hearing before the Police Commission be set for November 17, 1982; therefore be it

RESOLUTION NO. 907-82

SETTING OF THE DATE FOR THE HEARING OF POLICE
OFFICER JEFFREY WILLIAMS, MISSION STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Jeffrey Williams, Mission Station was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, attorney for the San Francisco Police Department, that the date for the setting of the date for the hearing before the Police Commission be set for November 17, 1982; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Jeffrey Williams is set for Wednesday, November 17, 1982, at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 912-82

POLICE OFFICER JEFFREY WILLIAMS, MISSION STATION

WHEREAS, amended charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Jeffrey A. Williams, Mission Police Station, as follows:

SPECIFICATION NO. 1

Failure to prevent crime while off-duty (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Jeffrey A. Williams, Mission Station, is set for Wednesday, November 17, 1982 at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 910-82

REQUEST FOR SUPPLEMENTAL APPROPRIATION TO REFLECT
AN AMENDMENT TO THE ANNUAL SALARY ORDINANCE RETITLING
THREE HUNDRED NINE Q-35 ASSISTANT INSPECTOR POSITIONS

RESOLVED, that the Police Commission hereby approves a "Request for Supplemental Appropriation". The Supplemental Appropriation request reflects amendment (Sal. Ord. Amend. No. 23) to the Annual Salary Ordinance (Ordinance No. 366-82). The amendment

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17 NOVEMBER 1982

EXECUTIVE SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street on Wednesday, November 17, 1982 at 1630 hours in Executive Session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

DOCUMENTS DEPT.

1.- Attorney-Client Conference

JAN 31 1983

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17 NOVEMBER 1982

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, November 17, 1982 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 935-82

KAREN VAN ENGEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Karen Van Engen against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 8, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 936-82

ALBERT A. DULAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Albert A. Dulan against the City and County of San Francisco in the sum of \$68.40 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 8, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 937-82

LULA P. EL-AMIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lula P. El-Amin against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 13, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 938-82

JIM HASLIP

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jim Haslip against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow be, and the same is hereby

approved.

Date of Incident: August 31, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 939-82

JANENE A. JAMES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Janene A. James against the City and County of San Francisco in the sum of \$59.20 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 11, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 940-82

CARRIE KARTMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carrie Kartman against the City and County of San Francisco in the sum of \$59.20 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 3, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 941-82

PAUL GOMMEL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Paul Gommel against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 27, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 942-82

BETH ALINE HUMPHREY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Beth Aline Humphrey against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 14, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissoiner Sanchez

RESOLUTION NO. 943-82

SAUL CAMARILLO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Saul Camarillo against the City and County of San Francisco in the sum of \$50.00 as the result

of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 29, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 944-82

EMAM SABER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Emam Saber against the City and County of San Francisco in the sum of \$33.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 15, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 945-82

JOSEPH A. THOMPSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joseph A. Thompson against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 29, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 946-82

SUSIE ZAPPA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Susie Zappa against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 13, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 947-82

DEBRA LYNN FRANCIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Debra Lynn Francis against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 27, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 948-82

SABRINA M. HORNE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sabrina M. Horne against the City and County of

San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 25, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 949-82

CHRISTINA PILLICIOTTI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Christina Pilliciotti against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 26, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 950-82

RUBY PEREZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ruby Perez against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 10, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 951-82

JOHN M. NOEL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John M. Noel against the City and County of San Francisco in the sum of \$59.20 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 1, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 952-82

DIANE E. MOGANNAM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Diane E. Mogannam against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 26, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 953-82

BRETT DOUGLASS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Brett Douglass against the City and County of

San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 20, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 954-82

LOWAN CHIU

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lowan Chiu against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 22, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 955-82

KIM CAMIRE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kim Camire against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 1, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 956-82

LUCINDA BREWER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lucinda Brewer against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 19, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 957-82

JOHN MARKHAM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Markham against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 6, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 958-82

CHERYL MC DONALD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Cheryl McDonald against the City and County of San Francisco in the sum of \$50.00 as the re-

sult of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 29, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 959-82

VESI MOEVAO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Vesi Moevao against the City and County of San Francisco in the sum of \$86.80 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 24, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 960-82

YELLOW CAB CO-OP, INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Yellow Cab Co-op, Inc., against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 18, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 961-82

YELLOW CAB CO-OP, INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Yellow Cab Co-op, Inc., against the City and County of San Francisco in the sum of \$68.40 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 962-82

ELMER LUCY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elmer Lucy against the City and County of San Francisco in the sum of \$59.20 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 12, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 963-82

ABC TOWING & STORAGE CO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the ABC Towing and Storage Company against the City and County of San Francisco in the sum of

\$77.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 4, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 964-82

SHELDON SEXTON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sheldon Sexton against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 14, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 965-82

JOSEPH SERENA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joseph Serena against the City and County of San Francisco in the sum of \$102.95 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 21, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioenr Sanchez

RESOLUTION NO. 924-82

ANTHONY NEGRO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Anthony Negro against the City and County of San Francisco in the sum of \$2,500.00 as the result of damages sustained, and the same is hereby approved.

Date of Incident: March 30, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 928-82

AUTHORIZING ATTENDANCE OF SERGEANTS ANTHONY BALZAR AND JOSEPH NORTHEN, INTERNAL AFFAIRS BUREAU AND SERGEANT MICHAEL SEYBOLD AND OFFICER HOWARD BERGMARK, LEGAL OFFICE, AT THE CALIFORNIA PEACE OFFICERS ASSOCIATION TRAINING SEMINAR - 1983 LEGAL UPDATES, IN SANTA ROSA, CALIFORNIA ON NOVEMBER 29, 1982.

RESOLVED, that the recommendation of the Chief of Police that Sergeants Anthony Balzar and Joseph Northen, Internal Affairs Bureau and Sergeant Michael Seybold and Officer Howard Bergmark, Legal Office, be authorized to attend the California Peace Officers Association Training Seminar - 1983 Legal Updates, in Santa Rosa, California on November 29, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named members in a sum not to exceed \$25.00 each for tuition is reimbursable by P.O.S.T.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 929-82

AUTHORIZING ATTENDANCE OF COMMANDER RICHARD TRUEB, INTERNAL OPERATIONS BUREAU, AT THE CALIFORNIA PEACE OFFICERS ASSOCIATION ALL COMMITTEE TRAINING CONFERENCE IN OAKLAND, CALIFORNIA FROM DECEMBER 5, 1982 TO DECEMBER 8, 1982.

RESOLVED, that the recommendation of the Chief of Police that Commander Richard Trueb, Internal Operations Bureau, be authorized to attend the California Peace Officers All Committee Training Conference in Oakland, California from December 5, 1982 to December 8, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Commander Trueb for registration fees in the sum of \$75.00 will be defrayed from the San Francisco Police Department's Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 931-82

AUTHORIZING ATTENDANCE OF SERGEANTS GARY PETERS AND MICHAEL FOLENA, INTERNAL AFFAIRS BUREAU, SERGEANT FERNANDO GAMEZ AND OFFICER PETER MARTIN, LEGAL OFFICE AND SERGEANTS MICHAEL HEBEL AND FRED LAU, OFFICERS LAWRENCE RYAN AND ROY SULLIVAN, POLICE ACADEMY, AT THE CALIFORNIA PEACE OFFICERS ASSOCIATION TRAINING SEMINAR - 1983 LEGAL UPDATES, IN OAKLAND, CALIFORNIA ON DECEMBER 9, 1982.

RESOLVED, that the recommendation of the Chief of Police that Sergeants Gary Peters and Michael Folena, Internal Affairs Bureau, Sergeants Fernando Gamez and Officer Peter Martin, Legal Office, and Sergeants Michael Hebel and Fred Lau, Officers Lawrence Ryan and Roy Sullivan, Police Academy, be authorized to attend the California Peace Officers Association Training Seminar - 1983 Legal Updates, in Oakland, California on December 9, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by the above-named members in a sum not to exceed \$25.00 each for tuition is reimbursable by P.O.S.T..

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 930-82

AUTHORIZING ATTENDANCE OF LIEUTENANT FRANKLIN GREER, INTERNAL AFFAIRS BUREAU AND SERGEANTS EDMUND PECINOVSKY AND JOHN MINOLI, LEGAL OFFICE, AT THE CALIFORNIA PEACE OFFICERS ASSOCIATION TRAINING SEMINAR - 1983 LEGAL UPDATES, IN SAN JOSE, CALIFORNIA ON DECEMBER 10, 1982.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Franklin Greer, Internal Affairs Bureau, and Sergeants Edmund Pecinovsky and John Minoli, Legal Office, be, authorized to attend the California Peace Officers Association Training Seminar - 1983 Legal Updates, in San Jose, California on December 10, 1982, be, and the same is hereby approved; and be it further

RESOLVED that expenses incurred by the above named members in a sum not to exceed \$25.00 each for tuition is reimbursable by P.O.S.T.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 925-82

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the followed named members of

the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Inspector William Gay	)	\$305.00	(Criminal Investi-
General Works Detail	)	each	(gation Course,
	)		(Sacramento, Cal-
Inspector Robert Mc-	)		(ifornia, October
Allister	)		(25,1982 to October
General Works Detail	)		(29,1982.
)		
Inspector John Marotto)		
General Works Detail)		

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 926-82

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Sergeant Gregory Cash	)	\$355.00	(International
Tactical E.O.D.	)	each	(Association of
	)		(Bomb Technicians
Officer Michael Travis)	)		(and Investigators
Tactical EOD	)		(Lake Tahoe, Nevada,
	)		(October 26,1982 to
	)		(October 29, 1982.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 927-82

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attend-

ing the below indicated program, be, and
the same is hereby approved:

Sergeant/Assistant	)	\$418.00	(Internal Op-
Inspector Fred Groven	)	each	(erations Bureau,
	)		(Internal Affairs,
Sergeant/Assistant	)		(Huntington Beach,
Inspector Jay Wallace	)		(California, Octo-
	)		(ber 25, 1982 to
Sergeant Daniel O'Leary)			(October 27, 1982.
Internal Affairs Divis-	}		
ion			

AYES: Commissioners Daly, Nelder, Toler,
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 974-82

HEARING OF POLICE OFFICER MICHAEL L. HUGHES,
MUNI TRANSIT DIVISION - CONTINUED FROM MEETING
OF WEDNESDAY, OCTOBER 20, 1982.

WHEREAS, the hearing of Police Officer
Michael L. Hughes, Muni Transit Division, was
called, it having been set for this date; and

WHEREAS, it has been requested that the
matter be continued to November 24, 1982; there-
fore be it

RESOLVED, that the hearing of the disci-
plinary charges filed against Police Officer
Michael L. Hughes, Muni Transit Division, is
continued to Wednesday, November 24, 1982, at
5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler,
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 967-82

SETTING OF DATE FOR HEARING OF POLICE OFFICER
MARK SOLOMON, RECORDS ROOM

WHEREAS, the date to be set for the disci-
plinary hearing of Police Officer Mark Solomon,

Records Room, was called, it having been set for this date; and

WHEREAS, it was requested that the date for the hearing before the Police Commission be set for January 19, 1982; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Mark Solomon is set for Wednesday, January 19, 1983 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 968-82

SETTING OF DATE FOR THE HEARING OF POLICE OFFICER JEFFREY WILLIAMS, MISSION STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Jeffrey Williams, Mission Station, was called it having been set for this date; and

WHEREAS, it was requested that the date for the hearing before the Police Commission be set for January 19, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Jeffrey Williams, is set for Wednesday, January 19, 1983 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 969-82

HEARING OF POLICE OFFICER JEFFREY WILLIAMS, MISSION STATION - CONTINUED FROM MEETING OF WEDNESDAY, NOVEMBER 10, 1982

WHEREAS, the hearing of Police Officer

Jeffrey Williams, Mission Station, was called it having been set for this date; and

WHEREAS, it has been requested that the matter be continued to January 5, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Jeffrey Williams, Mission Station, is continued to Wednesday, January 5, 1983 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

POLICE COMMISSION REPORT

Officer Edward Weaver, assigned to the Police Department's Motorcycle Detail, was singled out by Commissioner Sanchez who stated that Officer Weaver was a great credit to the San Francisco Police Department because of his heroism in the line of duty.

Commissioner Sanchez continued by saying that because of Officer Weaver's dedication and outstanding heroism he was being honored at a banquet given by the International Association of Chiefs of Police in Atlanta, Georgia, and recognition for Officer Weaver as Police-man of the Year.

CHIEF'S REPORT TO THE POLICE COMMISSION

The Chief had no report at this time.

HEARING OF INSPECTOR MICHAEL N. MALONEY, OPERATION "S"

The hearing of Inspector Michael N. Maloney, Operation "S", was called it having been set for this date. Inspector Maloney was

charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Failure to answer truthfully and without evasion questions propounded. (Violation of Rule A-21 of General Order D-1 of the San Francisco Police Department.)

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Inspector Michael N. Maloney appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department.

Mr. Stephen Bruce Bley entered a plea of guilty for Inspector Maloney's violation of Rule A-21 of General Order D-1.

An opening statement was made by Attorney Akins.

An opening statement was not made by Attorney Bley.

Charges against Inspector Michael N. Maloney were then read into the record.

The following named witnesses for the Prosecution were sworn and testified:

Sergeant George Tarnow
Alameda Sheriff's Department

Deputy Sheriff Joyce Tarnow
Alameda Sheriff's Department

Mr. Tacuma Matsuba
598 Bush Street
San Francisco, California

The following named witnesses appeared for the Defense, were sworn and testified:

Sergeant James Robinson
Internal Affairs Bureau
San Francisco Police Department

Police Officer Clint Locy
Ingleside Station
San Francisco Police Department

Inspector Michael N. Maloney
Operation "S"

Sergeant Steven Smith
Operation "S"

The following exhibits were entered into evidence by the Prosecution:

Exhibit #1 - Two Pages of photocopies of receipts from the Bush Gardens Restaurant along with VISA receipts indicating payment by VISA card.

Exhibit #2 - Photocopy of an overtime card submitted by Sergeant Steven Smith, dated February 27, 1982.

Closing statements were made by both the Prosecuting and Defense Attorneys.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 932-82

DECISION - HEARING OF INSPECTOR MICHAEL N. MALONEY,
OPERATION "S"

WHEREAS, on August 12, 1982, Cornelius P. Murphy, Chief of Police, made and served charges against Inspector Michael N. Maloney as follows:

SPECIFICATION NO. 1

- a) At all times herein mentioned, Inspector Michael N. Maloney, Star No.2014,

was and is a police inspector employed by the San Francisco Police Department and assigned to Operation "S";

- b) As a police inspector, Inspector Maloney (hereinafter, the accused) was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;
- c) On February 27, 1982, the accused was off duty and was present with another off duty member and a uniformed on-duty officer at a restaurant at 598 Bush Street in the City and County of San Francisco;
- d) In the course of the investigation of the on-duty officer, the accused was interviewed at the Internal Affairs Division on March 13, 1982;
- e) During the interview of March 18, 1982, the accused was asked if the uniformed on-duty officer had consumed any intoxicating liquor;
- f) The accused denied that the uniformed on-duty officer consumed any intoxicating liquor;
- g) Both the manager of the restaurant and the waitress who served the accused's table observed that the uniformed officer had been drinking;
- h) By failing to answer truthfully and without evasion questions propounded, the accused violated Rule A-21 of General Order D-1 which states:

"Member shall, when questioned on matters relating to their employment with the Police Department by a Superior Officer or by one designated by a Superior Officer for this purpose, answer all questions truthfully and without evasion. Prior to being asked to respond to the questions the member shall be advised of and afforded all his/her civil and employee rights as provided at that time by law or contractual agreement."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, November 17, 1982, on Wednesday, November 17, 1982, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Inspector Michael N. Maloney as continued in Specification No. 1, Rule A-21 of General Order D-1 of the San Francisco Police Department are sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Inspector Michael N. Maloney, Operation "S", has violated Specification No. 1, Rule A-21 of General Order D-1 of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violation Inspector Michael N. Maloney, Operation "S", shall be suspended for ninety (90) calendar days, thirty (30) of which shall not be imposed on the condition that Inspector Michael N. Maloney be suspended for sixty (60) calendar days without pay commencing on Thursday, November 18, 1982 at 1700 hours and terminating on Monday, January 17, 1983 at 2400 hours, and further, Inspector Maloney shall satisfactorily complete a one year period of probation and upon satisfactory completion the thirty (30) days suspension held in abeyance shall be dismissed.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

(The entire proceedings were taken in shorthand form by Hearing Reporter Bonnie Mortley, C.S.R.)

Recesses taken during the Hearing of Inspector Michael N. Maloney:

1854 hours to 1905 hours.
2100 hours to 2106 hours.
2130 hours to 2143 hours.
2146 hours to 2214 hours.

HEARING OF SERGEANT STEVEN T. SMITH, OPERATION "S"

The hearing of Sergeant Steven T. Smith, Operation "S" was called, it having been set for this date. Sergeant Smith was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Failure to answer truthfully and without evasion questions propounded. (Violation of Rule A-21 of General Order D-1 of the San Francisco Police Department.)

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Sergeant Steven Smith appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department.

Mr. Stephen Bruce Bley entered a plea of guilty for Sergeant Steven Smith's violation of Rule A-21 of General Order D-1.

An opening statement was made by Attorney Akins.

An opening statement was not made by Attorney Bley.

Charges against Sergeant Steven Smith were then read into the record.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Sergeant George Tarnow
Alameda Sheriff's Department

Deputy Sheriff Joyce Tarnow
Alameda Sheriff's Department

Mr. Tacuma Matsuba
598 Bush Street
San Francisco, California

The following named witnesses appeared
for the Defense, were sworn and testified:

Sergeant James Robinson
Internal Affairs Bureau
San Francisco Police Department

Police Officer Clint Locy
Ingleside Station
San Francisco Police Department

Inspector Michael Maloney
Operation "S"

Lieutenant Ray Minkel
Central Police Station
San Francisco Police Department

Sergeant Steven Smith
Operation "S"

The following exhibits were entered into
evidence by the Prosecution:

Exhibit #1 - Two pages of Photocopies of
receipts from the Bush Gardens
Restaurant along with VISA re-
ceipts indicating payment by
VISA card.

Exhibit #2 - Photocopy of an overtime card
submitted by Sergeant Steven
Smith, dated February 27, 1982.

Closing statements were made by both the
Prosecuting and Defense Attorneys.

The Commission took the matter under sub-
mission, after which the following resolution
was adopted:

RESOLUTION NO. 933-82

DECISION - HEARING OF SERGEANT STEVEN SMITH,
OPERATION "S"

WHEREAS, on August 12, 1982, Cornelius P.

Murphy, Chief of Police, made and served charges against Sergeant Steven Smith as follows:

SPECIFICATION NO. 1

- a) At all times herein mentioned, Sergeant Steven Smith, Star No. 1907, was and is a police sergeant employed by the San Francisco Police Department and assigned to Operation "S";
- b) As a police sergeant, Sergeant Smith, (hereinafter, the accused) was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;
- c) On February 27, 1982, the accused was off duty and was present with another off-duty member and a uniformed on-duty officer at a restaurant at 598 Bush Street in the City and County of San Francisco;
- d) In the course of the investigation of the on-duty officer, the accused was interviewed at the Internal Affairs Division on March 18, 1982;
- e) During the interview of March 18, 1982, the accused was asked if the uniformed on-duty officer had consumed any intoxicating liquor;
- f) The accused denied that the uniformed on-duty officer consumed any intoxicating liquor;
- g) Both the manager of the restaurant and the waitress who served the accused's table observed that the uniformed officer had been drinking;
- h) By failing to answer truthfully and without evasion questions propounded, the accused violated Rule A-21 of General Order D-1 which states:

"Members shall, when questioned on

matters relating to their employment with the police department by a superior officer or by one designated by a superior officer for this purpose, answer all questions truthfully and without evasion. Prior to being asked to respond to the questions the member shall be advised of and afforded all his/her civil and employee rights as provided at that time by law or contractual agreement."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, November 17, 1982 and on Wednesday, November 17, 1982 the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Sergeant Steven Smith, as contained in Specification No. 1, Rule A-21 of General Order D-1 of the San Francisco Police Department are sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Sergeant Steven Smith, Operation "S", has violated Specification No. 1, Rule A-21 of General Order D-1 of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violation Sergeant Steven Smith, Operation "S", shall be suspended for ninety (90) calendar days, thirty (30) of which shall not be imposed on the condition that Sergeant Steven Smith be suspended for sixty (60) calendar days without pay commencing on Thursday, November 18, 1982 at 1700 hours, and further, Sergeant Steven Smith shall satisfactorily complete a one-year period of probation and upon satisfactory completion the thirty (30) days suspension held in abeyance shall be dismissed.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

(The entire proceedings were taken in shorthand form by Hearing Reporter Bonnie Mortley, C.S.R.)

Recesses taken during the hearing of Sergeant Steven Smith:

1854 hours to 1905 hours.
2100 hours to 2106 hours.
2130 hours to 2143 hours.
2146 hours to 2214 hours.

HEARING OF POLICE OFFICER CLINT LOCY,
CENTRAL STATION

The hearing of Police Officer Clint Locy, Central Station, was called it having been set for this date. Police Officer Clint Locy was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Failure to treat members of the public with courtesy and respect and eschew harsh, profane, or uncivil language. (Violation of Rule A-14 of General Order D-1 of the San Francisco Police Department.)

SPECIFICATION NO. 2

Drinking intoxicating liquor while on-duty. (Violation of Rule B-1 of General Order D-1 of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to notify Police Communications by radio of his meal period. (Violation of Rule 8.109 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Failure to truthfully and without evasion, answer questions propounded. (Violation of Rules A-21 of General Order D-1 of the San Francisco Police Department.)

SPECIFICATION NO. 5

Engaging in conduct which tends to subvert the good order, efficiency, or discipline of the department and which reflects discredit upon the department. (Violation of Rule A-9 of General Order D-1 of the San Francisco Police Department.)

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Police Officer Clint Locy appeared in person and was represented by Ms. Janis Musante, Attorney at Law.

Ms. Janis Musante entered a plea of guilty to Specifications 2, 3, and 4, a plea of not guilty to Specifications 1 and 5.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department.

An opening statement was made by Mr. Jerry Akins, Prosecuting Attorney.

An opening statement was not made by Ms. Janis Musante, Defense Attorney.

Charges against Police Officer Clint Locy were then read into the record.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Sergeant George Tarnow
Alameda Sheriff's Department

Deputy Sheriff Joyce Tarnow
Alameda Sheriff's Department

Mr. Tacuma Matsuba
598 Bush Street
San Francisco, California

The following named witnesses appeared for the Defense, were sworn and testified:

Sergeant James Robinson
Internal Affairs Bureau
San Francisco Police Department

Police Officer Clint Locy
Ingleside Station

Inspector Michael Maloney
Inspectors Bureau

Lieutenant Ray Minkel
Central Station

Sergeant Steven Smith
Operation "S"

The following exhibits were entered into
evidence by the Prosecution:

Exhibit #1 - Two pages of photocopies of
receipts from the Bush Gar-
dens Restaurant and VISA re-
ceipts indicating payment by
VISA card.

Exhibit #2 - Photocopy of an overtime card
submitted by Sergeant Steven
Smith, dated February 7, 1982.

Closing statements were made by both the
Prosecuting and Defense Attorneys.

The Commission took the matter under sub-
mission, after which the following resolution
was adopted:

RESOLUTION NO. 934-82

DECISION - HEARING OF POLICE OFFICER CLINT LOCY,
CENTRAL STATION

WHEREAS, on August 19, 1982, Cornelius P.
Murphy, Chief of Police, made and served charges
against Police Officer Clint Locy, as follows:

SPECIFICATON NO. 1

a) At all times herein mentioned, Clint

Locy, Star No. 77, was and is a police officer employed by the San Francisco Police Department and assigned to Central Station.

- b) As a police officer, Officer Locy (hereinafter, the accused) was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;
- c) On February 27, 1982, at or about 2145 hours, the accused was on duty and in uniform and was dining with two off-duty members of the San Francisco Police Department at a restaurant at 598 Bush Street in the City and County of San Francisco;
- d) The conversation of the accused and the other members was loud and filled with profanities;
- e) A patron dining at the restaurant with his wife became so annoyed at the loudness and profanity emanating from the accused and other members' conversation that the patron approached the members' table, identified himself as an Alameda County Deputy Sheriff, and requested that the members tone down their conversation;
- f) After the patron had made his request, the accused became irate and yelled at the patron that the accused could do whatever the accused wanted ;
- g) The patron terminated the conversation, returned to his table and told his wife that he and his wife should leave the restaurant;
- h) Prior to leaving the restaurant, the patron and his wife approached the manager and told him of their reason for leaving;
- i) As the patron was conversing with the manager, the accused approached the patron, shouted at the patron in profane language, and threatened that he would find the patron and his wife on the street;

- j) By failing to treat members of the public with courtesy and respect and to eschew profane and uncivil language, the accused violated Rule A-14 of General Order D-1 of the San Francisco Police Department which states:

"Members shall, in the performance of their duties or while acting in the capacity of a peace officer off-duty, treat all members of the public with courtesy and respect and eschew harsh, profane, or uncivil language. When requested, members shall promptly and politely provide their name, star number, and assignment."

SPECIFICATION NO. 2

- a) Each and every allegation contained in paragraphs (a) through (i) of Specification No. 1 are hereby incorporated by reference as though each were fully set forth herein;
- b) While present at the restaurant, the accused was observed to be drinking intoxicating liquor;
- c) By drinking intoxicating liquor while on duty and in uniform, the accused violated Rule B-1 of General Order D-1 of the San Francisco Police Department which states:

"Members shall not, while on-duty or while in uniform, drink intoxicating liquor, except where specifically authorized by a superior for a valid police purpose."

SPECIFICATION NO. 3

- a) Each and every allegation contained in paragraphs (a) through (i) of Specification No. 1 are hereby incorporated by reference as though each were fully set forth herein;
- b) On February 27, 1982, during his tour of duty, the accused was assigned to a radio-controlled unit;
- c) By his own admission, the accused failed

to notify Police Communications that he would be out of service for his meal period and that the location of the meal would be 598 Bush Street;

- d) By failing to notify Police Communications of the time and location of his meal period, the accused violated Rule 8.109 of the Rules and Procedures of the San Francisco Police Department which states:

"Shall assign a meal period not exceeding one-half ($\frac{1}{2}$) hour for each member of his platoon on foot patrol, detail or assignment. Shall assign meal periods at such times that will least interfere with the police business of that district. Upon notification that the performance of police duty makes it impossible for said member to take his meal period at the time designated, the platoon commander shall assign a new meal period. Meal periods of members communicated with by radio shall be controlled by the Radio Communications Section.

All units controlled by radio when requesting 10-7M, shall make their request via radio. No requests by telephone or any other way will be honored."

SPECIFICATION NO. 4

- a) Each and every allegation contained in paragraphs (a) through (i) of Specification No. 1 and paragraphs (a) through (b) of Specification No. 2 are hereby incorporated by reference as though each were fully set forth herein;
- b) On March 17, 1982, the accused was interviewed at the Internal Affairs Division of the department;
- c) When asked if the accused had consumed any of the sake wine which had been served to his table, the accused responded that he did not;
- d) By failing to answer truthfully and without evasion questions propounded,

the accused violated Rule A-21 of General Order D-1 of the San Francisco Police Department which states:

"Members shall, when questioned on matters relating to their employment with the police department by a superior officer or by one designated by a superior officer for this purpose, answer all questions truthfully and without evasion. Prior to being asked to respond to the questions the member shall be advised of and afforded all his/her civil and employee rights as provided at that time by law or contractual agreement."

SPECIFICATION NO. 5

- a) Each and every allegation contained in paragraphs (a) through (i) of Specification No. 1, paragraphs (a) through (b) of Specification No. 2, paragraphs (a) through (c) of Specification No. 3, and paragraphs (a) through (c) of Specification No. 4, are hereby incorporated by reference as though each were fully set forth herein;
- b) By failing to treat members of the public with courtesy and respect and eschew profane and uncivil language, by drinking intoxicating liquor while on duty, by failing to notify Police Communications of his meal period and the location of his meal, and by failing to answer truthfully and without evasion, questions propounded, the accused engaged in conduct which tends to subvert the good order, efficiency, or discipline of the department and which reflects discredit upon the department, which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, November 17, 1982 and on Wednesday, November 17, 1982 the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Clint Locy as contained in Specification No. 1, Rule A-14 of General Order D-1, Specification No. 2, Rule B-1 of General Order D-1, Specification No. 3, Rule 8.109 of the Rules and Procedures, Specification No. 4, Rule A-21 of General Order D-1 and Specification No. 5, Rule A-9 of General Order D-1 of the San Francisco Police Department are sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Clint Locy, Central Station, has violated Specification Nos. 1, 3, 4 and 5 and for said violations he shall be suspended for thirty (30) calendar days each; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Clint Locy, Central Station, has violated Specification No. 2 and for said violation he shall be suspended for ninety (90) calendar days; and be it further

RESOLVED, that it is the order of the Police Commission that said suspensions shall run concurrently for a total of two hundred ten (210) calendar days, thirty (30) of which shall not be imposed on the condition that Police Officer Clint Locy be suspended for one hundred eighty (180) calendar days without pay commencing on Thursday, November 18, 1982 at 1700 hours and terminating on Wednesday, May 18, 1983 at 2400 hours and that he satisfactorily complete a one-year period of participation in the Police Department's Stress Program and upon satisfactory completion the thirty (30) days suspension held in abeyance shall be dismissed.

AYES: Commissioners Daly, Nelder, Toler, Murphy

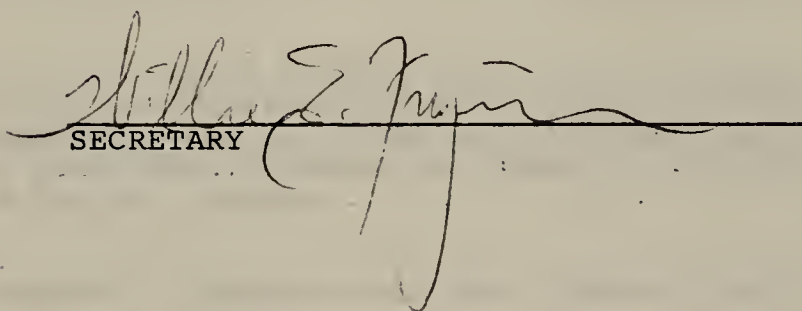
ABSENT: Commissioner Sanchez

(The entire proceedings were taken in shorthand form by Hearing Reporter Bonnie Mortley, C.S.R.)

Recesses taken during the hearing of Police Officer Clint Locy:

1854 hours to 1905 hours.
2100 hours to 2106 hours.
2130 hours to 2143 hours.
2146 hours to 2214 hours.

The Commission then adjourned its meeting at 10:16 p.m.


SECRETARY

Minutes

24 NOVEMBER 1982

EXECUTIVE SESSION

The Police Commission of the City and County of San Francisco met in their chambers Room 512, Hall of Justice, 850 Bryant Street, on Wednesday, November 24, 1982 at 1600 hours in Executive Session.

PRESENT: Commissioners Daly, Nelder; Murphy, Sanchez

ABSENT: Commissioner Toler

DOCUMENTS DEPT.

FEB 2 1983

Commissioner Sanchez presiding.

SAN FRANCISCO
PUBLIC LIBRARY

1. Attorney-Client Conference
2. Personnel Matter.

No vote was taken.

24 NOVEMBER 1982

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, November 24, 1982 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

Commissioner Sanchez presiding.

PRESENTATION OF MEDAL OF VALOR AWARDS & CERTIFICATES

Commissioner Sanchez said that on behalf of the Police Commission and as Chairman of the Awards Committee Meeting, he wanted to thank the men and women of the department and their families for their continuous commitment and

dedication to outstanding law enforcement services to this city.

The awards were then presented as follows:

Officer Tyree E. Banks.....Silver Medal
Officer Daniel P. Gardner....Silver Medal
Officer Leroy (nmi) Henry Jr.Silver Medal
Inspector Dennis P. Martel...Bronze Star
Inspector Dennis J. Schardt..Bronze Star
Inspector Thomas F. Tyrell...Bronze Medal
Assistant Inspector James M.
Chase.....Bronze Star
Assistant Inspector Jerome A.
DeFilippo.....Bronze Star
Assistant Inspector Robert W.
Donsbach.....Bronze Star
Assistant Inspector William
C. Faust.....Bronze Medal
Sergeant Gary A. Elsenbroich.Bronze Medal
Sergeant Ronald J. Vernali...Bronze Medal
Officer Robert L. Armanino...Bronze Medal
Officer Kenneth W. Blevins...Bronze Medal
Officer James A. Calonico....Bronze Medal
Officer Michael W. Conway....Bronze Star
Officer Corbett F. Dickey....Bronze Medal
Officer Mark C. Donzelli.....Bronze Medal
Officer John M. Farnham.....Bronze Star
Officer Douglas D. Hansen....Bronze Medal
Officer Donald R. Hicks.....Bronze Medal
Officer Randall P. Kocher....Bronze Star
Officer Charles W. Lofgren...Bronze Medal
Officer Michael C. Norman....Bronze Medal
Officer Luis A. Schonborn....Bronze Medal

Officer Kenneth P. Stocker...Bronze Star
Officer James M. Strange.....Bronze Star
Officer Joseph L. Weatherman.Bronze Medal
Officer Wesley M. Yee.....Bronze Medal

RECOMMENDATION OF THE TRAFFIC BUREAU -
APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

601 VAN NESS AVENUE - ROSE BOWL FLORIST

- a) At 601 Van Ness Avenue, install a 22' yellow zone, extending from 143' to 165' west of the east property line of 601 Van Ness Avenue.

3200 CALIFORNIA STREET - MONTEFIORE SENIOR
CENTER

- a) At 3200 California Street, install an 18' blue zone, extending from 146' to 164' west of the east property line.
- b) Remove meter CAL 3214.

155 GEARY STREET - NEIMAN-MARCUS

- a) At 155 Geary Street, install a 52' white zone, extending from 7' to 59' west of the east property line.

777 STOCKTON STREET - MEI LUN YUEN, INC.

- a) At 777 Stockton Street, install a 24' blue zone, extending from 6' to 30' south of Sacramento Street.

1600 DIVISADERO STREET - MOUNT ZION HOSPITAL

- a) At 1600 Divisadero Street, install a 30' white zone, extending from 82' to 112' north of the south property line.
(Paint 2' red tips on each driveway - entrance and exit.)

150 GREENWICH STREET - WELLS FARGO BANK

- a) At 150 Greenwich Street, install a 22' green zone, extending from the west property line of 150 Greenwich Street 22' east of same.

199 EUREKA STREET - NORA'S PRODUCE

- a) At 199 Eureka Street, install a 24' green zone, extending from 3' to 27' north of 19th Street.
- b) Revoke existing yellow zone.

1811 IRVING STREET - S.F.P.D. - REVOKED

- a) At 1811 Irving Street, revoke existing 32' yellow zone, extending from 10' to 42' west of 19th Avenue.

777 CLEMENTINA - S.F.P.D. - REVOKED

- a) At 777 Clementina, revoke existing 15' yellow zone, west of the east property line.

711 CLEMENTINA STREET - S.F.P.D. - REVOKED

- a) At 711 Clementina Street, revoke existing yellow zone, extending from 3' west to 37' east of the west building line.

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 81 feet of red, green, yellow and blue zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

- a) Inspector Philip S. Roebeling, Burglary Detail, for service, effective October 20, 1982.
- b) Lieutenant Richard Kazarian, Support Services Bureau, for service, effective October 28, 1982.

The communications were ordered filed.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 970-82

SAMUEL DYKSTRA

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Samuel Dykstra in the sum of \$200.00 in Superior Court Action No. 782-099, entitled "Samuel Dykstra

vs. City and County of San Francisco, et al.,"
as the result of damages sustained, be, and
the same is hereby approved.

Date of Incident: August 15, 1980

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 971-82

CALIFORNIA STATE AUTOMOBILE
ASSOCIATION & JUDITH YOUNGER

RESOLVED, that the recommendation of
the City Attorney for settlement of the claim
of the California State Automobile Association
and Judith Younger against the City and County
of San Francisco in the sum of \$500.58 as the
result of damages sustained, be, and the same
is hereby approved.

Date of Incident: June 8, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 972-82

SAN FRANCISCO FORTY-NINERS

RESOLVED, that the recommendation of the
City Attorney for settlement of the claim of
the San Francisco Forty-Niners against the City
and County of San Francisco in the sum of \$421.46
as the result of damages sustained, be, and the
same is hereby approved.

Date of Incident: September 12, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 973-82

GERALD E. BLOCK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gerald E. Block against the City and County of San Francisco in the sum of \$94.79 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 14, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 981-82

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below indicated program be, and the same is hereby approved:

Police Officer Edward)	\$75.50	{Administration/
Collins	)	(Police Academy-Toxic
		(Primer Workshop,
		(Davis, California,
		(on November 13, 1982.

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 982-82

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below- indicated program, be, and the same is hereby approved:

Police Officer Mark) \$380.50 (FBI Special Wea-
Potter) each (pons & Tactics -
) (Long Rifle Sniper
Police Officer John) (School, Fort Ord,
Chestnut) (Monterey, California,
(November 8, 1982 to
(November 12, 1982.

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

POLICE COMMISSION REPORT

MR. STEPHEN DIAZ, CITY ATTORNEY'S OFFICE, RE:
UPDATE ON PUBLIC CONVENIENCE AND NECESSITY FOR
VEHICLES FOR HIRE - SCHEDULE POLICY FOR PUBLIC
HEARING ON DECEMBER 8, 1982.

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

PRESENTATION OF A PROPOSAL ON THE FEASIBILITY OF
USE OF MICROFILM FOR RECORDS STORAGE - MS. IDAREE
WESTBROOK, MARKETING DIRECTOR OF DYNAKOR MICRO-
GRAPHICS, INC.

Parties were advised to get in touch with
Captain Eidler of the Criminal Information
Division to see if it would be feasible for
storage and record retrievability.

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

CHIEF'S REPORT TO THE POLICE COMMISSION

Juanita Del Carlo spoke to the Police Commission
regarding Senior Escort Outreach Program in the
Mission.

She was advised that the Commission would

take this matter up the latter part of December.

RESOLUTION NO. 976-82

DEPARTMENT GENERAL ORDER A-6 - DEFINITION OF TERMS

RESOLVED, that the Police Commission hereby approves Department General Order A-6 regarding Definition of Terms.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 978-82

DEPARTMENT GENERAL ORDER D-5 - GROOMING STANDARDS

RESOLVED, that the Police Commission hereby approves Department General Order D-5, regarding Grooming Standards.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 977-82

DEPARTMENT GENERAL ORDER D-7 - BOOKING PROCEDURES

RESOLVED, that the Police Commission hereby approves Department General Order D-7, regarding Booking Procedures.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1042-82

LEAVE OF ABSENCE WITHOUT PAY PENDING
HEARING ON CHARGES - APPROVED

WHEREAS, Police Officer Jeffrey Williams, Mission Station, was suspended without pay effective September 10, 1982 at 2000 hours, pending hearing of charges before the Police Commission; and

WHEREAS, Police Officer Jeffrey Williams, Mission Station, has requested a Leave of Absence Without Pay pending hearing of the charges before the Police Commission; therefore be it

RESOLVED, that Police Officer Jeffrey Williams, Mission Station, be placed on a Leave of Absence Without Pay at his request for a period of sixty (60) days commencing November 10, 1982 until January 9, 1983, be, and the same is hereby approved.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 966-82

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING
OF CHARGES - APPROVED

WHEREAS, Police Officer Michael L. Hughes, Muni Transit Division, was suspended without pay effective 1700 hours, Thursday, July 22, 1982, pending hearing of charges before the Police Commission; and

WHEREAS, Police Officer Michael L. Hughes, Muni Transit Division, has requested a Leave of Absence Without Pay pending hearing of the charges before the Police Commission; therefore be it

RESOLVED, that Police Officer Michael L. Hughes, Muni Transit Division, be placed on a

Leave of Absence Without Pay at his request for a period of sixty (60) days commencing November 26, 1982 until his hearing is held before the Police Commission, be, and the same is hereby approved.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1027-82

HEARING OF POLICE OFFICER MICHAEL L. HUGHES, MUNI TRANSIT DIVISION - CONTINUED FROM THE MEETING OF WEDNESDAY, OCTOBER 20, 1982.

WHEREAS, the hearing of Police Officer Michael L. Hughes, Muni Transit Division, was called it having been set for this date; and

WHEREAS, it has been requested that the matter be continued to January 5, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Michael L. Hughes, Muni Transit Division, is continued to Wednesday, January 5, 1983, at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 979-82

LIGHT DUTY POLICY - APPROVED

RESOLVED, that the Light Duty Policy, as amended, is hereby approved for issuance.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 980-82

REQUEST THAT THE EFFECTIVE DATE OF RESOLUTION
NO. 66-70 BE CHANGED TO MARCH 17, 1970 -
APPROVED.

RESOLVED, that the Police Commission
hereby approves the request of the Chief of
Police that the effective date of Resolution
No. 66-70 be changed to March 17, 1970.

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 975-82

REQUEST FOR SUPPLEMENTAL APPROPRIATION IN
THE AMOUNT OF \$354,254 TO FUND THE OFFICE
OF CITIZEN COMPLAINTS.

RESOLVED, that the Police Commission
hereby approves a request for a Supplemental
Appropriation amounting to \$354,254. Since
time is of the essence, the Police Commission
considers this Supplemental Appropriation to
be an emergency measure. An Office of Citizen
Complaints was approved by the voters of San
Francisco at the November 2, 1982 General
Election. The Supplemental Appropriation
will fund the operations of the Office of
Citizen Complaints for the period January 1,
1983 through June 30, 1983. The funding
source will be "any legally available funds."

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

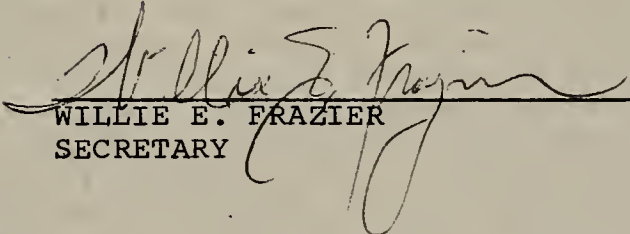
SAN FRANCISCO SAFE INC., PRESENTATION OF
PROGRESS TO THE POLICE COMMISSION - PRE-
SENTED BY GWEN BATTLE.

PUBLIC HEARING RELATIVE TO GENERAL ORDER
P-10 - PRESS/MEDIA RELATIONS PROCEDURES -
CONTINUED TWO WEEKS TO DECEMBER 8, 1982.

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

The Commission then adjourned its
meeting at 7:27 p.m.



WILLIE E. FRAZIER
SECRETARY

2
= Minutes
1 DECEMBER 1982

REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, December 1, 1982 at 1700 hours.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

DOCUMENTS DEPT.

APR 11 1983

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MAYOR DIANNE FEINSTEIN - REVIEW OF THE
POLICE DEPARTMENT'S PERFORMANCE FOR THE
YEAR 1982

Continued one week at the request of Mr. Peter Gorman, the Mayor's Staff Aide.

Officer Deborah Franks appeared with her attorney Mr. Bernard Gershater, and at first indicated that they were prepared to go on with the hearing. However, after being advised by the Commission that because of the fact that there was a criminal matter pending against her it has been the policy of the Commission to grant periodic continuances to officers in that category until at such time the criminal matters had been adjudicated. Mr. Bernard Gershater, attorney for Officer Franks, then asked for a continuance to February 2, 1983 for setting of a date for Officer Franks Hearing and it was granted by the Commission in the following resolution.

RESOLUTION NO. 989-82

SETTING OF DATE FOR HEARING OF POLICE OFFICER
DEBORAH FRANKS, CRIMINAL INFORMATION DIVISION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Deborah Franks, Criminal Information Division, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. Bernard Gershater, attorney for Officer Franks, that the

date for the setting of the hearing before the Police Commission be set for February 2, 1983; therefore be it

RESOLVED, that the setting of the date for the hearing of the disciplinary charges filed against Police Officer Deborah Franks is set for Wednesday, February 2, 1983 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy Sanchez

HEARING OF THE DISCIPLINARY CHARGES FILED
AGAINST SERGEANT RONNEY RHOADES, PARK
STATION

At the previous Police Commission meeting the Commission adopted Resolution No. 986-82, amending Resolution No. 66-70 to make the effective date of said Resolution, March 17, 1970 instead of March 16, 1970. This action removed Sergeant Ronney Rhoades from the ranks of those officers that must comply with the provisions of General Order B-1 Height and Weight Standards of the Police Department.

Chief of Police Cornelius P. Murphy, then requested that charges filed with the Police Commission against Sergeant Ronney Rhoades be officially withdrawn.

The Police Commission, thereafter, adopted the following resolution withdrawing the charges filed against Sergeant Ronney Rhoades.

RESOLUTION NO. 986-82

WITHDRAWAL OF CHARGES FILED AGAINST SERGEANT
RONNEY RHOADES, PARK STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Sergeant Ronney Rhoades, Park Station, as follows:

SPECIFICATION NO. 1

Failure to comply with department weight standards. (Violation of Section II, Subsection 1-A of General Order B-1 of the San Francisco Police Department.)

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; and

WHEREAS, at a meeting of the Police Commission held on Wednesday, November 24, 1982, the Police Commission adopted Resolution No. 980-82, amending Resolution No. 66-70 which in effect changed physical agility and fitness standards for officers who were appointed on or after March 17, 1970, not March 16, 1970, thereby removing Sergeant Ronney Rhoades from the area of compliance with said order; therefore be it

RESOLVED, that the above-stated charges filed before the Police Commission on September 29, 1982 against Sergeant Ronney Rhoades, Park Station, be, and the same are hereby withdrawn.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

POLICE COMMISSION REPORT

Commissioner Sanchez announced that the Police Commission had met in Executive Session this date and that no vote on any of the Executive Session issues was taken.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief of Police Cornelius Murphy introduced Mr. Arthur Vyse, Vice President of Sara Lee, Inc., and Ms. Dawn O'Malley, an employee of the corporation and also a victim of a brutal crime in which her fiance was killed and she had been seriously wounded and left for dead. Mr. Vyse and Ms. O'Malley appeared at the meeting today to demonstrate their appreciation to the Police

Department by presenting to Inspectors James Crowley and Frank McCoy and Police Officers John Payne and Peter Siragusa and Assistant District Attorney Mr. Tom Norman, beautiful plaques for their apprehension and successful prosecution of the suspect who committed this heinous crime. Mr. Vyse also donated on behalf of Sara Lee, Inc., and in the name of the persons stated above, \$10,000 to the "Friends of the Police Committee."

Commissioner Sanchez and Chief Murphy thanked Mr. Vyse, Ms. O'Malley and Sara Lee, Inc., for this outstanding award which will be utilized to the utmost in raising the morale and pride of police officers of the San Francisco Police Department.

Mr. John Prentice, attorney for Police Officer Bob C. Davis, appeared and stated that the criminal matter against Officer Davis is still pending and because of this, he would respectfully ask for a continuance to December 29, 1982, for setting of a date for Officer Davis' hearing.

The Commission, acknowledging this request, adopted the following resolution:

RESOLUTION NO. 988-82

SETTING OF THE DATE FOR THE HEARING OF POLICE OFFICER BOB C. DAVIS, MISSION STATION - CONTINUED FROM MEETING OF WEDNESDAY, OCTOBER 27, 1982.

WHEREAS, the setting of the date for the hearing of Police Officer Bob C. Davis, Mission Station, was called, it having been set for this date; and

WHEREAS, it has been requested by Mr. John Prentice, attorney for Police Officer Bob C. Davis, that the matter be continued to December 29, 1982; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Bob C. Davis, Mission Station, is continued to Wednesday, December 29, 1982 at 5:00 p.m.,

in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

LETTER FROM SFPOA VICE PRESIDENT PAUL CHIGNELL
GIVING FORMAL NOTICE OF THE POA'S APPEAL OF
THE FIVE-DAY SUSPENSION OF OFFICER LESLIE CHONG.

Mr. Jerry Akins, attorney for the Police Department's Legal Office, and Mr. Paul Chignell, representative for Police Officer Leslie Chong, agreed that if the Police Commission concurs, the date to be set for the Hearing of the Appeal of the five-day Chief's suspension of Officer Leslie Chong would be December 29, 1982.

The Police Commission, acknowledging this request, then adopted the following resolution:

RESOLUTION NO. 990-82

REQUEST OF POLICE OFFICER LESLIE CHONG,
INGLESIDE STATION, TO APPEAL FIVE DAYS
SUSPENSION.

WHEREAS, Police Officer Leslie Chong, Ingleside Station, was suspended by Chief of Police Cornelius P. Murphy for a period of five (5) days in accordance with Section 3.06 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, a communication was received from Paul Chignell, Vice President of the San Francisco Police Officers' Association, requesting a hearing before the Police Commission for Officer Leslie Chong, in accordance with Section 3.06 of the Rules and Procedures of the San Francisco Police Department, to appeal her disciplinary suspension for a period of five (5) days by Cornelius P. Murphy, Chief of Police; therefore be it

RESOLVED, that the request of Police Officer Leslie Chong, Ingleside Station, for a hearing before the Police Commission to appeal her suspension by the Chief of Police

is hereby scheduled for Wednesday, December 29, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RECEIPT OF GENERAL ORDER A-5 "ORGANIZATIONAL STRUCTURE & FUNCTIONS" (COPIES SENT TO EMPLOYEE ORGANIZATION)

Continued to December 22, 1982 for Public Hearing.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RECEIPT OF GENERAL ORDER D-6 "CERTIFICATE OF RELEASE" (COPIES SENT TO EMPLOYEE ORGANIZATIONS)

Continued to December 22, 1982 for Public Hearing.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RECEIPT OF GENERAL ORDER D-8 "PERSONNEL PROCEDURES" (COPIES SENT TO EMPLOYEE ORGANIZATIONS)

Continued to December 22, 1982 for Public Hearing.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RECEIPT OF GENERAL ORDER I-3 "CITATION RELEASE POLICY PROCEDURES". (COPIES SENT TO EMPLOYEE ORGANIZATIONS.)

Continued to December 22, 1982 for Public Hearing.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 983-82

POLICE OFFICER EUGENE KALININ, INGLESIDE
STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Eugene Kalinin, Ingleside Station, as follows:

SPECIFICATION NO. 1

Failure to prevent crime while on duty. (Violation of Rule A-2 of General Order D-1 of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to answer questions truthfully. (Violation of Rule A-21 of General Order D-1 of the San Francisco Police Department.)

SPECIFICATION NO. 3

Engaging in conduct which reflects discredit upon the department. (Violation of Rule A-9 of General Order D-1 of the San Francisco Police Department.)

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Eugene Kalinin, Ingleside Station, is set for Wednesday, December 8, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 984-82

POLICE OFFICER WILLIAM TERCERO, INGLESIDE STATION

WHEREAS, charges of violating the Rules and

Procedures of the San Francisco Police Department were filed against Police Officer William Tercero, Ingleside Station, as follows:

SPECIFICATION NO. 1

Failure to prevent crime while off duty. (Violation of Rule A-2 of General Order D-1 of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to answer questions truthfully. (Violation of Rule A-21 of General Order D-1 of the San Francisco Police Department.)

SPECIFICATION NO. 3

Engaging in conduct which reflects discredit upon the department. (Violation of Rule A-9 of General Order D-1 of the San Francisco Police Department)

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer William A. Tercero, Ingleside Station, is set for Wednesday, December 8, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 985-82

POLICE OFFICER LOUIS P. TERCERO, MISSION STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Louis P. Tercero, Mission Station, as follows:

SPECIFICATION NO. 1

Failure to prevent crime while off-duty. (Violation of Rule A-2 of General Order D-1 of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to answer questions truthfully. (Violation of Rule A-21 of General Order D-1 of the San Francisco Police Department.)

SPECIFICATION NO. 3

Discharging a firearm at a moving vehicle. (Violation of Section 1-C-2 of General Order F-1 of the San Francisco Police Department.)

SPECIFICATION NO. 4

Engaging in conduct which reflects discredit upon the department. (Violation of Rule A-9 of General Order D-1 of the San Francisco Police Department.)

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Louis P. Tercero, Mission Station, is set for Wednesday, December 8, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

HEARING OF POLICE OFFICER MARK S. PORTO,
CENTRAL STATION

The hearing of Police Officer Mark S. Porto, Central Station, was called, it having been set

for this date; Police Officer Mark S. Porto was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Failure to comply with department weight standards. (Violation of Section II, Subsection A-1 of General Order B-1 of the San Francisco Police Department.)

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Police Officer Mark S. Porto appeared in person and was represented by Mr. John Prentice, Attorney at Law.

Mr. Michael Gash, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department.

An opening statement was made by Mr. John Prentice.

An opening statement was made by Mr. Michael Gash.

Mr. John Prentice entered a plea of guilty on behalf of Police Officer Mark S. Porto.

The following witness appeared for the Prosecution, was sworn and testified:

Police Officer Dirk Beijen
Police Academy

The following witnesses appeared for the Defense, were sworn and testified:

Captain Victor Macia, Commanding
Central Station

Police Officer Mark S. Porto
Central Station

Closing statements were made by both the Prosecuting and Defense Attorneys.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 987-82

DECISION - HEARING OF POLICE OFFICER MARK S. PORTO, CENTRAL STATION.

WHEREAS, on September 29, 1982, Cornelius P. Murphy, Chief of Police, made and served charges against Police Officer Mark S. Porto, as follows:

SPECIFICATION NO. 1

- a) At all times herein mentioned Mark S. Porto was and is a police officer, appointed after March 16, 1970 employed by the San Francisco Police Department, and currently assigned to Central Station;
- b) As a police officer, Officer Porto (hereinafter the accused), was and is responsible for knowing and obeying the Rules, Procedures, and Orders of the San Francisco Police Department;
- c) The accused is 5' 10" tall and by department standards set forth in General Order B-1 has a maximum allowable weight of 193 to 212.3 lbs., including a 10% allowance for sustaining a reclining blood pressure between 140 mm systolic/90 diastolic;
- d) On September 11, 1981, the accused was admonished by the Commanding Officer of Personnel and Training for failure to comply with department weight standards and was ordered to comply by October 14, 1981;
- e) On October 20, 1981, the accused was weighed at 238 lbs., exceeding his maximum allowable weight;

- f) On October 20, 1981, the accused was reprimanded by the Chief of Police and ordered to comply with department weight standards by November 25, 1981;
- g) On November 25, 1981, the accused was weighed at 234 lbs., which exceeded his maximum allowable weight;
- h) On March 18, 1982, the accused was weighed at 239 lbs., which exceeded his maximum allowable weight;
- i) On March 18, 1982, a Chief's disciplinary hearing was held for the accused. The accused was ordered by the Chief of Police to comply with department weight standards by June 17, 1982;
- j) On June 17, 1982, the accused telephoned Officer Jeffrey R. Barker, Star #1311, at the Personnel and Training Division and stated that he was still over the department weight standards;
- k) By failing to comply with department weight standards, the accused violated Section II, Subsection A-1 of General Order B-1 of the San Francisco Police Department which states in pertinent part:

"A. Weight Requirements

1. Male Officers

a. Members must stay within the assigned weight standards below:

b. Height Minimum Weight Maximum Weight

5' 10" 148 193"

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San

Francisco on Wednesday, December 1, 1982, and on Wednesday, December 1, 1982 the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Mark S. Porto as contained in Specification No. 1, Section II, Subsection A-1 of General Order B-1 of the San Francisco Police Department are sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Mark S. Porto has violated Specification No. 1, Section II, Subsection A-1 of General Order B-1 of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violation Police Officer Mark S. Porto, Central Station, shall be suspended for thirty (30) calendar days which shall not be imposed, but held in abeyance on the condition that Police Officer Mark S. Porto comply with the height and weight standards as defined in Subsection A-1 of General Order B-1 within six month from this date, December 1, 1982 to May 1, 1983, with a report to be submitted as to his progress in three months, March 1, 1983, by the Chief of Police; and be it further

RESOLVED, that upon presentation of satisfactory evidence of compliance by Police Officer Mark S. Porto with Subsection A-1 of General Order B-1 of the San Francisco Police Department the thirty (30) days suspension held in abeyance shall be dismissed.

Recess taken during the hearing
of Officer Mark S. Porto:

1855 hours to 1905 hours.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

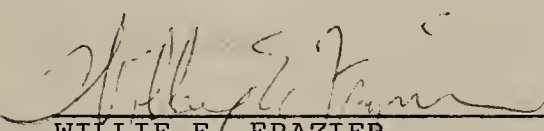
(The entire proceedings were taken in shorthand form by Hearing Reporter Bonnie Mortley, C.S.R.)

The Commission noted the date of Monday, November 29, 1982, as the passing of one of the Police

Department's most revered Chaplains, Reverend Booker T. Anderson.

The Commission called for one minute of silence in observance and adjourned thereafter in his memory.

The Commission then adjourned its meeting at 7:18 p.m.



WILLIE E. FRAZIER
SECRETARY

Minute

8 DECEMBER 1982

EXECUTIVE SESSION

The Police Commission of the City and County of San Francisco, met in their chambers Room 512, Hall of Justice, 850 Bryant Street, on Wednesday, December 8, 1982 at 1600 hours in Executive Session.

PRESENT: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

Commissioner Sanchez presiding.

DOCUMENTS DEPT.

1.- Personnel Matters.

APR 11 1983

2.- Attorney-Client Conference.

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No vote was taken.

8 DECEMBER 1982

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, December 8, 1982 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

Commissioner Sanchez presiding.

MAYOR DIANNE FEINSTEIN - REVIEW OF THE POLICE
DEPARTMENT'S PERFORMANCE FOR THE YEAR 1982.

Mr. Peter Gorman, Mayor's Staff Aide, requested that this item be taken off calendar until further notice.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

POLICE COMMISSION REPORT

Commissioner Murphy said that she and Commissioner Nelder has been meeting with Civil Service Commission Personnel and Police Department Personnel in the persons of Deputy Chief James Shannon and Commander Richard Trueb, and discussed materials to be developed in compliance with Proposition A, the Office of Civilian Complaints.

She said the Department has arranged to prepare for the Commission a folder with pertinent material and in that regard she said she would request that a Public Hearing be scheduled on this matter two (2) weeks from tonight.

Commissioner Nelder said he would move that the hearing be so scheduled two weeks hence, seconded by Commissioner Daly and unanimously approved.

Commissioner Daly said that she would like to make a formal request at this time for a year-end comprehensive overview in a report on Community Relations Training in the Police Academy. She said she would also like to request on behalf of the Commission a year-end report picture for the Commission on the FTO Program, the rate of failure and where most officers seem to be failing during that subjective period of their Training.

She said she was not asking for this in any critical fashion, but she felt it was something the Commission needed to take a look at and the end of the year is a good time to do that. She said therefore, she would make a motion, one, that the Commission be provided with an overview report of Police Community Relations in the Academy and what has been accomplished up to this point, and secondarily, a year-end report on the FTO Program.

This motion was seconded by Commissioner Murphy and unanimously approved.

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy said he did not have a report for the Commissioners tonight but he would answer any questions they may have at this time.

APPROVAL OF CONSENT CALENDAR

Approval of the Consent Calendar was called at this time.

Sergeant John Newlin from the Traffic Survey Department requested that item #6 on the Traffic Calendar be held over as he wanted to investigate the item further.

The Commissioners then voted unanimously to hold that item over and then unanimously voted approval of the remainder of the Consent Calendar.

RECOMMENDATIONS OF THE TRAFFIC CALENDAR - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1929 LOMBARD STREET - WEEDS AND FLOWERS ANTIQUES

- a) At 1929 Lombard Street, install a 22' green zone, extending from 12' to 34' west of the east property line.

1201 GOLDEN GATE AVENUE - FELLOWSHIP MANOR

- a) At 1201 Golden Gate Avenue, install a 24' white zone, extending from 16' to 40' west of Webster Street.
- b) At 1201 Golden Gate Avenue, install a 22' yellow zone, extending from 18' to 40' east of west property line.

15 - 2nd STREET - OFFICE BUILDING

- a) At 15-2nd Street install a 60' white zone,

extending from south property line
60' north of same. West side of 595
Market Street.

200 BLOCK OLIVE - GEORGE OLSEN, INC.

- a) In the 200 block of Olive, install a 48' Special Truck Loading Zone, 7 A.M.-1 P.M.,, extending from 10' to 58' west of the east property line.
- b) Signs to be installed on meters 206, 204 and 202.

450 -8th STREET - ATLAS HEATING & VENTILATING COMPANY

- a) At 450-8th Street, install a 44' green zone, extending from 45' to 89' north of the south property line.
- b) At 450-8th Street, install a 44' yellow zone, extending from 89' to 133' north of the south property line of 450-8th Street.

251 POST STREET - PARAMOUNT EXPORT CO.-REVOKED

- a) At 251 Post Street, revoke existing 23' yellow zone, extending from 22' - 45' east of the west line of 253 Post Street.

1508 TARAVAL STREET - SEVAN LIQUOR & DELI - REVOKED

- a) At 1508 Taraval Street, revoke existing 26' yellow zone, extending from east property line 26' west of same.

1045 O'FARRELL STREET - GEORGE OLSEN, INC.-REVOKED

- a) At 1045 O'Farrell Street, revoke existing 53' yellow zone. Meters to be installed.
- b) At 1045 O'Farrell Street, revoke existing 25' yellow zone. Meters to be installed.

3225-21st STREET - AMERICAN RED CROSS -
REVOKED

- a) At 3225-21st Street, revoke existing
22' white zone, extending from 6' -
28' west of the east property line.

600-6th AVENUE - S.F.P.D. - REVOKED

- a) At 600 - 6th Avenue, revoke existing
21' yellow zone, extending from 6' -
- 27' south of Balboa Street.

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

REVOKED

RESOLVED, that the recommendation of the
Traffic Bureau on the revocation of 170 feet of
white and yellow zones, at the parts of the City,
at the locations submitted, be, and the same are
hereby approved.

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 994-82

JOSIE GERALDI

RESOLVED, that the recommendation of the
City Attorney for settlement of litigation of
Josie Geraldi in the sum of \$8,000.00 in Sup-
erior Court Action No. 777-702, entitled, "Josie
Geraldi vs. City and County of San Francisco, et
al.," as the result of damages sustained, be,
and the same is hereby approved.

Date of Incident: September 7, 1980

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 995-82

THEODORE BRAUNE & LUCY MAE BRAUNE

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Theodore Braune and Lucy Mae Braune in the sum of \$5,800.00 in Superior Court Action No. 780-764, entitled "Theodore Braune and Lucy Mae Braune vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 11, 1980

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 996-82

DAVID B. HEVENTHAL

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of David B. Heventhal in the sum of \$50.00 in Superior Court Action No. 762-109, entitled, "David B. Heventhal vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 1, 1978

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 997-82

JOSEPH JOHN ORLANDO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joseph John Orlando against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 16, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 998-82

EVELYN LOW

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Evelyn Low against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 21, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 999-82

ABBY PATRICE ROSMARIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Abby Patrice Rosmarin against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 13, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1000-82

PAUL YEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Paul Yee against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 23, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1001-82

JAMES WATSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James Watson against the City and County of San Francisco in the sum of \$59.20 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 12, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler



RESOLUTION NO. 1002-82

KAREN FISHKIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Karen Fishkin against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 13, 1982

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1003-82

MARGARET BLETHEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Margaret Blethen against the City and County of San Francisco in the sum of \$73.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 12, 1982

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1004-82

JOHN W. PEABODY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John W. Peabody against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

by approved.

Date of Incident: October 12, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1005-82

ROSEMARY G. TROWSDALE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rosemary G. Trowsdale against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 1, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1006-82

ROBERT CASSIDY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert Cassidy against the City and County of San Francisco in the sum of \$86.80 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 10, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1007-82

JOHN S. KUNTZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John S. Kuntz against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 26, 1982

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1008-82

NANETTE CERNIGLIA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Nanette Cerniglia against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 28, 1982

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1009-82

ANNIE C. WONG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Annie C. Wong against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

by approved.

Date of Incident: September 2, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1010-82

VICTORIA S. WEATHERBEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Victoria S. Weatherbee against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 26, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUITON NO. 1011-82

SUSAN SITKIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Susan Sitkin against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 25, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1012-82

THOMAS C. REYNOLDS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Thomas C. Reynolds against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 1, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1013-82

HUNTER D. WELLS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Hunter D. Wells against the City and County of San Francisco in the sum of \$200.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 3, 1982 thru
August 23, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1014-82

SISTER CHRISTINE CARMICHEL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sister Christine Carmichel against the City and County of San Francisco in the sum of \$50.00

as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 25, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1015-82

MONGEL LOBATO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mongel Lobato against the City and County of San Francisco in the sum of \$129.90 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 11, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1016-82

RED & WHITE CAB CO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Red & White Cab Co., against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 23, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1017-82

GRIGORY BERGMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Grigory Bergman against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 29, 1982

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1018-82

TERESA LOZOYA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Teresa Lozoya against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 2, 1982

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1019-82

MARIA E. MONTOYA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Maria E. Montoya against the City and County of San Francisco in the sum of \$56.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 20, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1020-82

ROGER GUTIERREZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Roger Gutierrez against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 20, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1021-82

RED & WHITE CAB. CO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Red & White Cab Co., against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 19, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1022-82

MELVIN C. JONES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Melvin C. Jones against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 10, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1023-82

VIVIAN KAUFMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Vivian Kaufman against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 31, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1024-82

SHARON HERNANDEZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sharon Hernandez against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is

hereby approved.

Date of Incident: November 1, 1982

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1025-82

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Sergeant/Inspector Dale	)	\$360.00	(Introduction
Smith	)	each	(to Crime Anal-
General Works Detail	)		(ysis Course,
	)		(Sacramento,
Sergeant/Inspector Raymond)			(California,
Hilvert	)		(November 15, 1982
General Works Detail	)		(November 19,
	)		(1982.
Sergeant/Inspector Thomas)		
Sullivan)		
General Works Detail)		

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RECOMMENDATION OF THE AWARDS COMMITTEE

Commissioner Sanchez said there was a recommendation by Commissioner Toler in that this has been a very unique Awards Committee Meeting whereby 5 Police Officers were each granted a Gold Medal of Valor including the late Sergeant John Macauley.

He continued by saying that there was also a special request from that Committee to ask that one month's salary be awarded to the Macauley family which was voted unanimously at the Award's Committee Meeting. He said he would recommend that the Commission adopt by Resolution, the proposed recommendation and set the date for presentation of the awards after that.

Commissioner Daly said she would make that motion, Commissioner Murphy seconded and it was unanimously approved.

The date for the presentation was then set for December 22, 1982.

RESOLUTION NO. 1028-82

RECOMMENDATIONS OF AWARDS COMMITTEE - APPROVED

RESOLVED, that the following-named members of the Police Department, be, and they are hereby granted Awards of Valor - Gold Medal, Silver Medal and Bronze Medal, under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department, as approved by the Awards Committee on Friday, December 3, 1982.

Sergeant John Macauley
(Posthumously).....Gold Medal of Valor

Police Officer Dennis L.
McCaffrey.....Gold Medal of Valor

Police Officer Dennis J.
Quinn.....Gold Medal of Valor

Police Officer Earl E.
Wismer.....Gold Medal of Valor

Police Officer Robert J.
Wood.....Gold Medal of Valor

Assistant Inspector John G.
Fowlie.....Silver Medal of Valor

Police Officer Louis J.
Glaser.....Silver Medal of Valor

Police Officer Daniel J. May, Silver Medal of Valor

Police Officer Ronald (nmi)
Roth.....Silver Medal of Valor

Police Officer James L.
Batchelor.....Bronze Medal of Valor

Police Officer Michael D.
Becker.....Bronze Medal of Valor

Police Officer Michael D.
Chan.....Bronze Medal of Valor

*Police Officer Christopher H.
Cunnie.....Bronze Medal of Valor

Police Officer Sally L.
DeHaven.....Bronze Medal of Valor

Police Officer Joaquin (nmi)
Dominguez.....Bronze Medal of Valor

*Police Officer Timothy A.
Flaherty.....Bronze Medal of Valor

Police Officer James S.
Guerrero.....Bronze Medal of Valor

Police Officer Robert L.
Jensen.....Bronze Medal of Valor

Police Officer Francisco
(nmi) Mendez.....Bronze Medal of Valor

Police Officer Steven R.
Shanahan.....Bronze Medal of Valor

Police Officer Thomas J.
Vellone.....Bronze Medal of Valor

Police Officer Joseph L.
Weatherman.....Bronze Medal of Valor

Police Officer Stephen A.
Zimmerman.....Bronze Medal of Valor

*Receives two (2) Bronze Medals Awards.

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1029-82

REWARDS GRANTED TO MEMBERS OF THE POLICE
DEPARTMENT

WHEREAS, the following-named members of the Police Department have been commended for courageous service under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission held on Wednesday, December 8, 1982; and

WHEREAS, Chief of Police Cornelius P. Murphy has recommended to the Police Commission that said members be rewarded under the provisions of Section 8.405 (a) (4) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Sergeant John Macauley (posthumously), be, and he is hereby awarded a Gold Medal of Valor and granted a reward of one month's salary, as provided for under said section of the Charter; and be it further

RESOLVED, that Police Officers Dennis L. McCaffrey, Dennis J. Quinn, Earl E. Wismer and Robert Wood, be, and they are hereby awarded Gold Medals of Valor and granted a reward of two hundred dollars (\$200.00) each, as provided for under said section of the Charter; and be it further

RESOLVED, that Assitant Inspector John G. Fowlie and Police Officers Louis J. Glaser, Daniel J. May and Ronald (nmi) Roth, be, and they are hereby awarded Silver Medals of Valor and granted a reward of one hundred dollars (\$100.00) each, as provided for under said section of the Charter; and be it further

RESOLVED, that Police Offficers James L. Batchelor, Michael D. Becker, Michael D. Chan, Christopher H. Cunnie (awarded two bronze medals), Sally L. DeHaven, Joaquin (nmi) Dominguez, Timothy A. Flaherty (awarded two bronze medals), James S. Guerrero, Robert L. Jensen, John M. Kowal, Francisco (nmi) Mendez, Steven R. Shanahan, Thomas J. Vellone, Joseph L. Weatherman and Stephen A. Zimmerman, be, and they are hereby awarded Bronze Medals of Valor, and granted a reward of fifty dollars (\$50.00) each, as provided for under said section of the Charter.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 991-82

SETTING OF DATE FOR HEARING OF POLICE OFFICER
EUGENE KALININ, INGLESIDE STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Eugene Kalinin, Ingleside Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. John Prentice, attorney for Officer Kalinin, that the date

for the setting of the hearing before the Police Commission be set for December 15, 1982; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Eugene Kalinin, Ingleside Station, is set for Wednesday, December 15, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 993-82

SETTING OF DATE FOR HEARING OF POLICE OFFICER WILLIAM A. TERCERO, INGLESIDE STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer William A. Tercero, Ingleside Station, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. John Prentice, attorney for Officer Tercero, that the date for the setting of the hearing before the Police Commission be set for December 15, 1982; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer William A. Tercero, Ingleside Station, is set for Wednesday, December 15, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 992-82

SETTING OF DATE FOR HEARING OF POLICE OFFICER

LOUIS P. TERCERO, MISSION STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Louis P. Tercero, Mission Station, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. John Prentice, attorney for Police Officer Tercero, that the date for the setting of the hearing before the Police Commission be set for December 15, 1982; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Louis P. Tercero, Mission Station, is set for Wednesday, December 15, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

PUBLIC HEARING ON POLICE COMMISSION POLICY
FOR DECLARATION OF PUBLIC CONVENIENCE AND
NECESSITY FOR THE ISSUANCE OF MOTOR VEHICLE
FOR HIRE PERMITS.

Mr. Steven Diaz, Deputy City Attorney, appeared before the Commission and gave the Commission a brief summary of the proposed policy for Public Convenience and Necessity for the issuance of Motor Vehicle for Hire Permits. He said the policy as written, will call for the Commission to hold twice annual hearings on Public Convenience and Necessity for various categories of permits for the operation of Motor Vehicles for Hire. He said the schedule for those hearings is set in the statement of the policy.

Commissioner Sanchez said that on behalf of the Commission he would like to thank the staff and Mr. Diaz for their efforts and time put into this document, a quality document even though the Commissioners may not individually agree with it, but as a Commission it has to be enforced. He said it does give the Commission a working instrument to implement as far as Public Convenience and Necessity goes for the issuance of Motor Vehicle for

Hire Permits.

The Commission then adopted by Resolution the said policy as follows:

RESOLUTION NO. 1026-82

SAN FRANCISCO POLICE COMMISSION POLICY ON HEARINGS ON APPLICATIONS FOR DECLARATION OF PUBLIC CONVENIENCE AND NECESSITY FOR THE ISSU- ANCE OF MOTOR VEHICLE FOR HIRE PERMITS.

WHEREAS, pursuant to the provisions of Proposition K, adopted by the people of San Francisco at the election held on June 6, 1978 for the regulation of motor vehicle for hire, the Police Commission hereby adopts and authorizes the following policy and procedures:

1. Application for A Permit.

- A. Application forms for declaration of public convenience and necessity for the issuance of motor vehicle for hire permits shall be made available to the public as is required by Proposition K, Section 2(a). Said application forms shall be available at the Office of the Permit Section of the San Francisco Police Department.
- B. Completed application forms shall be accepted at the Office of the Permit Section, but only if received with the full application fee in the amount set by the Commission.
- C. Copies of this Policy and any pertinent Commission resolutions concerning written criteria for evaluating applications shall be made available to all applicants.

II. Hearings on Public Convenience and Necessity.

- A. The Secretary of the Commission shall publish a notice of every application for a declaration of public convenience and necessity for the issuance of a motor vehicle for hire permit within fifteen (15) days of the filing of such application as required by Proposition K, Section 2 (a).

- B. Publication of notice under paragraph II.A of this Policy shall be made in any newspaper designated by the Board of Supervisors for the publication of official notices of the City and County of San Francisco and shall run for three successive days in accordance with the provisions of Proposition K, Section 2(a).
- C. Publication of notice of any application for a declaration of public convenience and necessity for the issuance of a motor vehicle for hire permit shall state the date, time and place set for the hearing on the application as is provided for in Proposition K, Section 2 (a).
 - 1. Every application for a declaration of public convenience and necessity relative to the prospective operation of a taxicab shall be noticed for hearing on the following schedule:
 - a. Applications received between October 15th of any year and April 15th of the following year (dates inclusive) shall be heard at the first administrative meeting of the Commission in May.
 - b. Applications received between April 15th and the following October 14th (dates inclusive) shall be heard at the first administrative meeting of the Commission in November.
 - 2. Every application for a declaration of public convenience and necessity relative to the prospective operation of a jitney bus shall be noticed for hearing on the following schedule:
 - a. Applications received between December 15th of any year and June 15th of the following year (dates inclusive) shall be heard at the first administrative meeting of the Commission in July.

- b. Applications received between June 16th and the following December 14th (dates inclusive) shall be heard at the first administrative meeting of the Commission in January.
 - 3. Every application for a declaration of public convenience and necessity relative to prospective operation under a limousine or sightseeing bus permit shall be noticed for hearing on the following schedule:
 - a. Applications received between August 15th of any year and February 15th of the following year (dates inclusive) shall be heard at the first administrative meeting of the Commission in March.
 - b. Applications received between February 16th and the following August 14th (dates inclusive) shall be heard at the first administrative meeting of the Commission in September.
 - 4. For purposes of this Policy, "date of receipt" shall mean the date on which a fully complete application accompanied by full payment of the appropriate fee shall be received at the Permit Section.
- D. Written protests against the issuance of any permit may be filed with the Commission through the Permit Section. Protests must be filed at least five (5) days before the date noticed for the hearing of an application. There shall be no fee for the filing of a protest.
- E. In order to avoid a burdensome redundancy of testimony and other evidence when more than one application for declaration of public convenience and necessity is pending for any type of motor vehicle for hire permit, the hearing on all pending applications as to the issuance of new or additional

permits of that type shall be consolidated. Each pending applicant shall be heard in such consolidated proceeding subject to the right of any individual applicant to waive her or his right to present evidence to the Commission if the applicant is satisfied with the quantity and quality of evidence produced by other applicants being heard at the same time. All evidence on public convenience and necessity received at any consolidated hearing shall be deemed to be received on behalf of each applicant participating in the consolidated hearing.

- F. If the Commission shall declare that public convenience and necessity shall exist for the issuance of new or additional permits for the operation of motor vehicle for hire, the Commission will then consider the qualifications of individual applicants in the order of receipt of applications by the Permit Section as required by Proposition K, Section 2(a).
- G. Once a sufficient number of applicants have been approved by the Commission to qualify for all the permits for which public convenience and necessity has been declared, any remaining applicants shall be considered for permits, in the order of receipt of their applications, as the number of outstanding permits may from time to time fall below the number for which the Commission has found public convenience and necessity; provided, however, that such applications shall expire fifteen (15) days prior to the date next set for hearings on public convenience and necessity for the type of permit, (e.g. taxicab, jitney bus, limousine or sightseeing bus) for which application has been made (see the schedules set forth in the subparagraphs under I. C. above).

III. Complaints and Discipline.

Upon receipt of any written complaint at the Permit Section, an investigation shall be made to determine if good cause exists for the imposition of discipline. If, based upon any complaint received or upon its own independent investigation, the Permit Section shall find that good cause does exist to discipline any motor vehicle for hire permittee, they shall so recommend to the Commission, in writing.



The Secretary to the Commission shall calendar a hearing not less than then (10) days nor more than thirty (30) days from the receipt of a recommendation for the imposition of discipline from the Permit Section in accordance with this Policy. Notice of the hearing shall be given to the affected permittee and any complainant(s), by mail, specifying the nature of the complaint, the recommendation of the Permit Section and the date, time and place set for the hearing; therefore be it

RESOLVED, that the San Francisco Police Commission policy on hearings on applications for declaration of public convenience and necessity for the issuance of motor vehicle for hire permits, be, and the same is hereby approved.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1030-82

PATROL SPECIAL OFFICER GEORGE W. HUGHES - REVOKED

RESOLVED, that the appointment of Patrol Special Officer George W. Hughes, Beat No. 84, Potrero District, be, and the same is hereby revoked effective December 8, 1982, he having sold his beat to Patrol Special Officer Samuel Reyes.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1031-82

PATROL SPECIAL OFFICER SAMUEL REYES - APPROVED

RESOLVED, that Patrol Special Officer Samuel Reyes is hereby appointed a Patrol Special Officer for Beat No. 84, Potrero District; said appointment effective December 8, 1982, Patrol Special Officer Samuel Reyes having purchased Beat No. 84 from

Patrol Special Officer George W. Hughes.

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RECEIPT OF DEPARTMENT GENERAL ORDER NO. A-7 -
"DEPARTMENT LETTERHEAD STATIONERY." (COPIES
SENT TO EMPLOYEE ORGANIZATIONS.) - CONTINUED
FOR TWO (2) WEEKS FOR PUBLIC HEARING.

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

PUBLIC HEARING IN REGARD TO GENERAL ORDER P-10
PRESS/MEDIA RELATIONS PROCEDURES." - TABLED

Sergeant Michael Pera of the Public Affairs
Office, gave the Commissioners an overview of the
ramifications of this General Order and the need
for it's passage.

After his presentation the below-listed parties
were given permission to speak and all spoke in
opposition to the Order.

Mr. Steve Cook, City Editor, San Francisco
Examiner.

Mr. Jerry Burns, City Editor, San Francisco
Chronicle.

Mr. Larry Hatfield, Vice President, Newspaper
Guild Association.

The Commission after listening to a brief statement
by Chief of Police Cornelius Murphy, voted to table
the Order until at such time the Chief could revise
it and then bring it back before the Commission for
discussion and consideration.

PUBLIC HEARING ON THE PROPOSAL OF A GAY AWARENESS
TRAINING PROGRAM FOR THE SAN FRANCISCO POLICE DE-
PARTMENT - TABLED

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1034-82

AUTHORIZING ACCEPTANCE ON BEHALF OF THE
SAN FRANCISCO POLICE DEPARTMENT THE GIFT
OF MEDICAL EQUIPMENT VALUED AT \$3,000.00,
FOR USE BY THE POLICE DEPARTMENT FROM DR.
NORMAN H. STEINER

RESOLVED, that the donation of medical
equipment valued at \$3,000.00 by Dr. Norman
H. Steiner, is accepted by the San Francisco
Police Department.

AYES: Commissioners Daly, Nelder, Murphy,
Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1032-82

POLICE OFFICER BOBBY WILLIAMS, INGLESIDE STATION

WHEREAS, charges of violating the Rules
and Procedures of the San Francisco Police
Department were filed against Police Officer
Bobby Williams, Ingleside Station, as follows:

SPECIFICATION NO. 1

Failure to prevent crime while
off-duty. (Violation of Rule A-2
of General Order D-1 of the San
Francisco Police Department.)

SPECIFICATION NO. 2

Engaging in conduct which tends
to subvert the good order, ef-
ficiency, or discipline of the
department and which reflects dis-
credit upon the department. (Vio-
lation of Rule A-9 of General Order
D-1 of the San Francisco Police De-
partment.)

by Cornelius P. Murphy, Chief of Police of
the San Francisco Police Department; there-
fore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Bobby Williams, Ingleside Station, is set for Wednesday, December 15, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 987A-82

REQUEST OF SERGEANT PAUL LARGENT, INGLESIDE STATION, TO APPEAL THREE DAYS' SUSPENSION

WHEREAS, Sergeant Paul Largent, Ingleside Station, was suspended by the Chief of Police Cornelius P. Murphy, for a period of three (3) days in accordance with Section 3.06 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, a communication was received from Paul C. Chignell, Vice-President of the San Francisco Police Officers' Association, requesting a hearing before the Police Commission for Sergeant Paul Largent, in accordance with Section 3.06 of the Rules and Procedures of the San Francisco Police Department, to appeal his disciplinary suspension for a period of three (3) days by Cornelius P. Murphy, Chief of Police; therefore be it

RESOLVED, that the request of Sergeant Paul Largent, Ingleside Station, for a hearing before the Police Commission to appeal his suspension by the Chief of Police, is hereby scheduled for setting of a date on Wednesday, December 15, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 1033-82

POLICE OFFICER RAOUL A. PONCE, MISSION STATION

WHEREAS, charges of violating the Rules



and Procedures of the San Francisco Police Department were filed against Police Officer Raoul A. Ponce, Mission Station, as follows:

SPECIFICATION NO. 1

Failure to comply with department weight standards. (Violation of Section II, Subsection A-1 of General Order B-1 of the San Francisco Police Department).

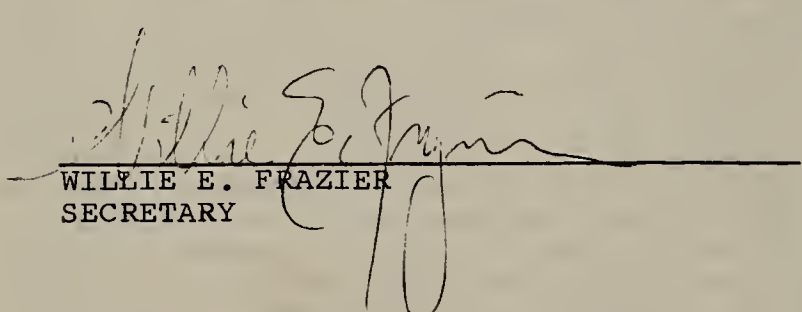
by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Raoul A. Ponce, Mission Station, is set for Wednesday, December 15, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

The Commission adjourned its meeting in memory of Inspector Ralph McDonald at 6:55 p.m.



WILLIE E. FRAZIER
SECRETARY



Minutes

15 DECEMBER 1982

REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, December 15, 1982 at 1700 hours in regular session.

PRESENT: Commissioners Nelder, Toler, Sanchez

ABSENT: Commissioners Daly, Murphy

Commissioner Sanchez presiding.

DOCUMENTS DEPT.

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PRESENTATION OF MAYOR DIANNE FEINSTEIN

Mayor Dianne Feinstein appeared before the Police Commission and stated that the San Francisco Police Department continues to make progress in better protecting the lives -- and the rights -- of all who live, work and visit here. The crime rate is lower, and discipline and professionalism in the department is improved over the last year when she last appeared before this commission. She then said there can be no let up in the expectation for further progress in the year ahead. This city expects nothing less than the best from its police department.

She continued by highlighting the achievements of the past year and goals for the coming year as measured by a quarterly management by Objective Reporting System.

She then said "I commend the Commission and its Chief for achieving a decline in serious crime from the 1981 levels, and I want emphasis within the department to continue this downward trend. Crime and the fear it generates must be reduced relentlessly. Expanded foot beats and closer supervision of all officers by their sergeants and lieutenants will, I believe, increase the Department's capacity to fight crime and make our City a safe place. I also urge, as stressed earlier, the swift implementation of the voter-mandated Office of Civilian Complaint as a further guarantee against possible abuse of police power. Finally, I would hope the commission will become even more intimately involved in the MBO process, a rigorous approach for setting reasonable goals and assuring they are responsibly met."

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UNIVERSITY OF CHICAGO
CHICAGO, ILL.

RESOLUTION NO. 1035-82

SETTING OF DATE FOR HEARING OF POLICE
OFFICER EUGENE KALININ, INGLESIDE STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Eugene Kalinin, Ingleside Station, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. John Prentice, attorney for Officer Kalinin, that the date for the hearing before the Police Commission be set for Wednesday, January 26, 1983; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Eugene Kalinin, Ingleside Station, is set for Wednesday, January 26, 1983 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Toler,
Sanchez

ABSENT: Commissioners Daly, Murphy

RESOLUTION NO. 1036-82

SETTING OF DATE FOR HEARING OF POLICE
OFFICER WILLIAM TERCERO, INGLESIDE STATION

WHEREAS the date to be set for the disciplinary hearing of Police Officer William Tercero, Ingleside Station, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. John Prentice, attorney for Officer Tercero, that the date for the hearing before the Police Commission be set for Wednesday, January 26, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer William Tercero, Ingleside Station, is set for Wednesday, January 26, 1983 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Toler, Sanchez

ABSENT: Commissioners Daly, Murphy



RESOLUTION NO. 1037-82

SETTING OF DATE FOR HEARING OF POLICE
OFFICER LOUIS P. TERCERO, MISSION STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Louis P. Tercero, Mission Station, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. John Prentice, attorney for Officer Louis P. Tercero, that the date for the hearing before the Police Commission be set for January 26, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Louis P. Tercero, Mission Station, is set for Wednesday, January 26, 1983 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Toler, Sanchez

ABSENT: Commissioners Daly, Murphy

RESOLUTION NO. 1038-82

SETTING OF DATE FOR HEARING OF POLICE OFFICER
BOBBY WILLIAMS, INGLESIDE STATION

WHEREAS, the date to be set for the hearing of Police Officer Bobby Williams, Ingleside Station, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, attorney for the San Francisco Police Department, that the date for the setting of the hearing before the Police Commission be set for Wednesday, December 22, 1982; therefore be it

RESOLVED, that the setting of the date of the disciplinary charges filed against Police Officer Bobby Williams, Ingleside Station is set for Wednesday, December 22, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Toler, Sanchez

ABSENT: Commissioners Daly, Murphy



RESOLUTION NO. 1039-82

SETTING OF DATE FOR HEARING OF POLICE OFFICER
RAOUL A. PONCE, MISSION STATION

WHEREAS, the date to be set for the disciplinary hearing of Raoul A. Ponce, Mission Station, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. John Prentice, attorney for Officer Ponce, that the date for the hearing before the Police Commission be set for January 12, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Raoul A. Ponce, Mission Station, is set for Wednesday, January 12, 1983 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Toler,
Sanchez

ABSENT: Commissioners Daly, Murphy

RESOLUTION NO. 1040-82

SETTING OF DATE FOR HEARING ON THE APPEAL OF
THE CHIEF'S SUSPENSION OF POLICE SERGEANT, PAUL
LARGENT, INGLESIDE STATION

WHEREAS, the date to be set for hearing on appeal of the Chief's suspension of Police Sergeant Paul Largent, Ingleside Station, was called, it having been set for this date; and

WHEREAS, it was requested by Paul Chignell, Vice President of the San Francisco Police Officers' Association, that Sergeant Largent's hearing on the appeal of the Chief's suspension before the Police Commission be set for Wednesday, January 12, 1983; therefore be it

RESOLVED, that the hearing on the appeal of the Chief's suspension of Sergeant Paul Largent, Ingleside Station, is set for Wednesday, January 12, 1983 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Toler, Sanchez

ABSENT: Commissioners Daly, Murphy



RESOLUTION NO. 1041-82

SETTING OF DATE FOR HEARING OF POLICE OFFICER
JERRY LANKFORD, POTRERO STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Jerry Lankford, Potrero Station, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. Robert Martin, attorney for Police Officer Jerry Lankford, that the date for the setting of the hearing before the Police Commission be set for January 21, 1983; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Jerry Lankford, Potrero Station, is set for Wednesday, January 12, 1983 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Toler, Sanchez

ABSENT: Commissioners Daly, Murphy

POLICE COMMISSION REPORT

The Police Commission presented no report at this meeting.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy said he had no report for the Commission tonight, but would respond to questions from the Commission.

HEARING ON SUPERIOR COURT ORDER NO. 775-364. A
REMAND FOR FURTHER HEARING IN THE MATTER OF SER-
GEANT JAMES WERTZ.

Mr. Michael Killelea, Deputy City Attorney for the City and County of San Francisco, appeared and brought the Commissioners up to date in regard



to this matter. He said it was previously before the Commission in 1979 on an Order to Show Cause and Sergeant Wertz was terminated from the Police Department for violation of an agreement he had signed relative to his earlier being brought up on charges 3 or 4 months previous to that date. He said, subsequently to the termination Sergeant Wertz filed a law suit challenging the termination and because of an Intra-Departmental Memo introduced as evidence on behalf of Sergeant Wertz the matter has been remanded back to the Police Commission to decide as to whether it was of such import as to cause the Commission to decide as to if there were a lack of clarity to the previous order, and if so, is it therefore at large to be re-heard.

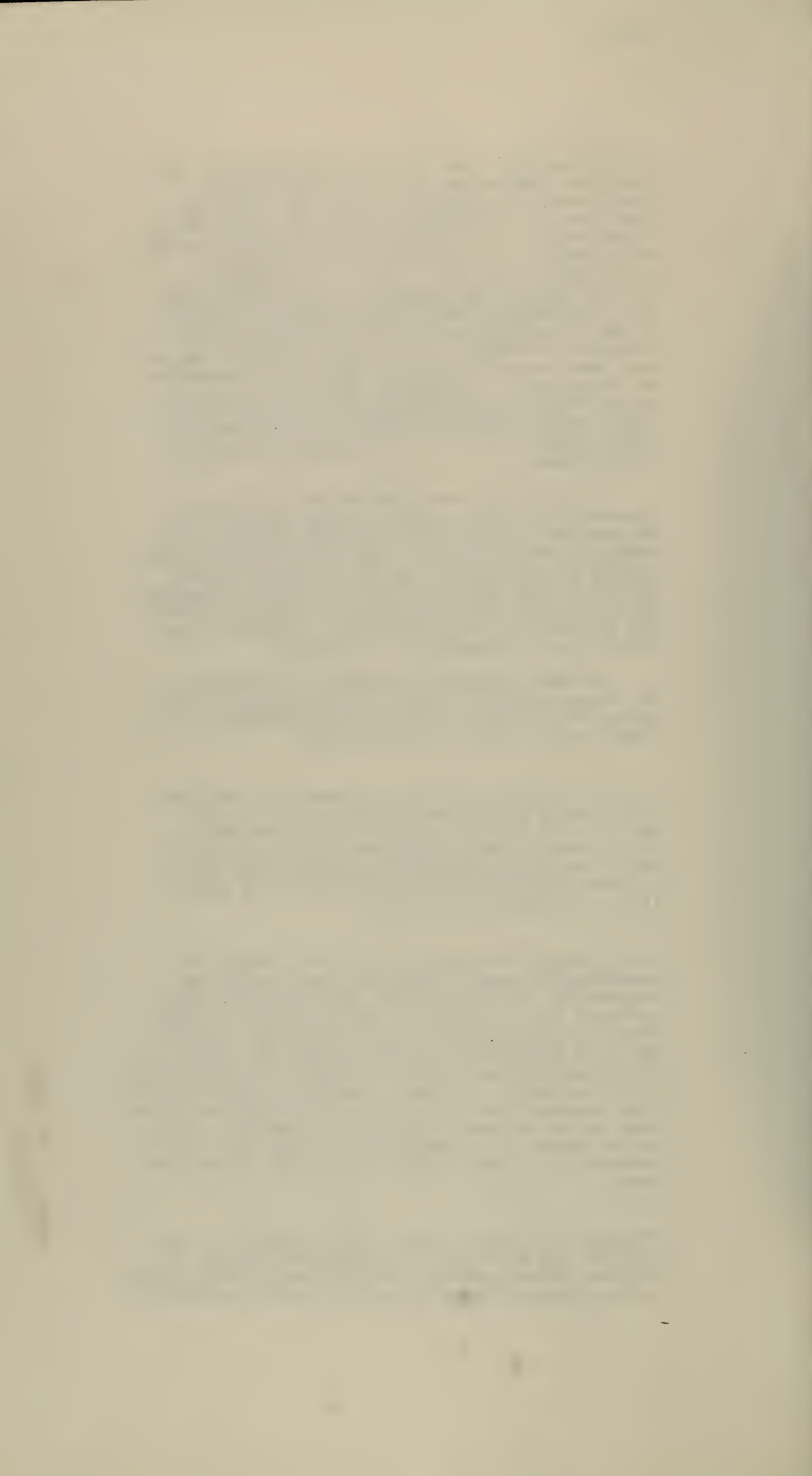
He said upon recommendation of the City Attorney's Office, after a close review, both in the legal aspect and with the Council for Sergeant Wertz and upon full reflection and research in the matter, he said they felt that it was in the best interest of both the Department and Sergeant Wertz and all concerned that the matter be settled in the litigation stage rather than proceed with a hearing.

He then recommended that Sergeant Wertz be re-instated and then outlined certain conditions that Sergeant Wertz should be required to comply with if he is re-instated.

Mr. Casimir Wilson, attorney for Sergeant Wertz, said he and Mr. Killelea has worked quite a bit on this matter and the objective is to restore Sergeant Wertz to his position which would be similar to a person who was on a Leave of Absence Without Pay and was returning to work from that leave.

Chief Murphy said that his concern about Sergeant Wertz' case is that at the time of the Sergeant's termination due process hadn't been afforded him. He said he didn't want to establish a precedent here in that when an officer has been terminated by the Department, goes out and rehabilitates himself, he will automatically be re-instated. He said had that been the case with Sergeant Wertz he would not be recommending that he be re-appointed by the Department, but, at the time of his termination there was some question as to due process and that was his concern.

Sergeant Wertz was then called before the Commission and after answering questions from the various Commissioners, Commissioner Sanchez said to him that the Commission feels after reviewing



his file and after the Chief's statement that this is a rare opportunity for him to be reinstated to the Police Department. He said the Commission will expect him to always maintain the highest degree of respect and rapport in supervision which the Commission feels that he is capable of doing.

Thereafter, the Commission adopted the following resolution:

RESOLUTION NO. 1043-82

REINSTATEMENT OF SERGEANT JAMES WERTZ -
APPROVED

WHEREAS, a court order was received from the Superior Court remanding the termination of Sergeant James Wertz back to the Police Commission for further hearing; and

WHEREAS, the matter appeared on the Police Commission Calendar of Wednesday, December 15, 1982 wherein it was recommended by the Chief of Police that Sergeant James Wertz be reinstated to his former position, contingent upon Sergeant Wertz' written settlement agreement to the following conditions:

1. That for a period of one year from the date of reinstatement Sgt. James Wertz submit to a breathalyzer upon demand by an officer competent to issue such an order.
2. That Sgt. James Wertz waive all his rights to back pay from the time of his termination until his reinstatement.
3. That Sgt. James Wertz be permitted to remain subject to the retirement provisions in effect at the time of his termination as if he has been a member of the department without interruption.
4. That Sgt. James Wertz enroll and participate in the stress program sanctioned by the San Francisco Police Department;

and

WHEREAS, Sergeant James Wertz and his attorney, Mr. Casimir A. Wilson, agreed with the imposition



of these conditions as a provision for Sergeant Wertz' reinstatement; therefore be it

RESOLVED, that it is the order of the Police Commission that Sergeant James Wertz is hereby reinstated to his former position with the San Francisco Police Department based on his and his attorney's acceptance of the imposition of the above stated conditions; and be it further

RESOLVED, that it is the order of the Police Commission that after Sergeant Wertz' written agreement is fully executed, Sergeant Wertz will report for duty on January 12, 1983.

AYES: Commissioners Nelder, Toler, Sanchez

ABSENT: Commissioners Daly, Murphy

RESOLUTION NO. 1118-82

RE-SETTING OF DATE FOR HEARING OF POLICE OFFICER
LESLIE CHONG, INGLESIDE STATION

WHEREAS, Police Officer Leslie Chong, Ingleside Station, was suspended by Chief of Police Cornelius P. Murphy, for a period of five (5) days in accordance with Section 3.06 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, it was requested by Paul Chignell, Vice President of the San Francisco Police Officers' Association, that the hearing before the Police Commission for Officer Chong, in accordance with Section 3.06 of the Rules and Procedures of the San Francisco Police Department, to appeal her disciplinary suspension for a period of five (5) days be re-set for January 5, 1983; therefore be it

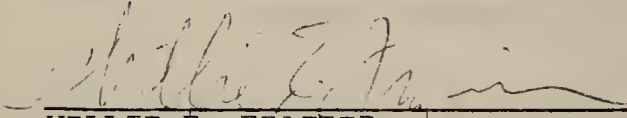
RESOLVED, that the request of Police Officer Leslie Chong, Ingleside Station, for a hearing before the Police Commission to appeal her suspension by the Chief of Police is hereby scheduled for Wednesday, January 5, 1983 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Toler, Sanchez

ABSENT: Commissioners Daly, Murphy



The Commission then adjourned its meeting
at 6:16 p.m.



WILLIE E. FRAZIER
SECRETARY

≡ Minutes

22 DECEMBER 1982

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, December 22, 1982 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

Commissioner Sanchez presiding.

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RESOLUTION NO. 1117-82

SETTING OF DATE FOR HEARING OF POLICE OFFICER
BOBBY WILLIAMS, INGLESIDE STATION

WHEREAS, the date to be set for the hearing of Police Officer Bobby Williams, Ingleside Station, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, attorney for the San Francisco Police Department, that the hearing before the Police Commission be set for Wednesday, January 19, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Bobby Williams, Ingleside Station, is set for Wednesday, January 19, 1983 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

The Commissioners having received, amended and returned minutes of the meetings of September 1, 1982 and September 8, 1982, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

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Q. 11. Mr. A. B. C.

RECOMMENDATIONS OF THE TRAFFIC BUREAU

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

158-11th STREET - CHILDRENS HAVEN

- a) At 158-11th Street, install a 20' white zone, extending from 22' to 42' north of the south building line.
- b) Remove meter #11S132.

APPROX. #70 FREELON - ADCRAFT

- a) At At approximately #70 Freelon, install a 22' yellow zone, extending from 34' to 56' east of 4th Street.

388 -12th AVENUE - UNITED VIDEO

- a) At 388-12th Avenue, install a 20' green zone, extending from north property line 20' south of same.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

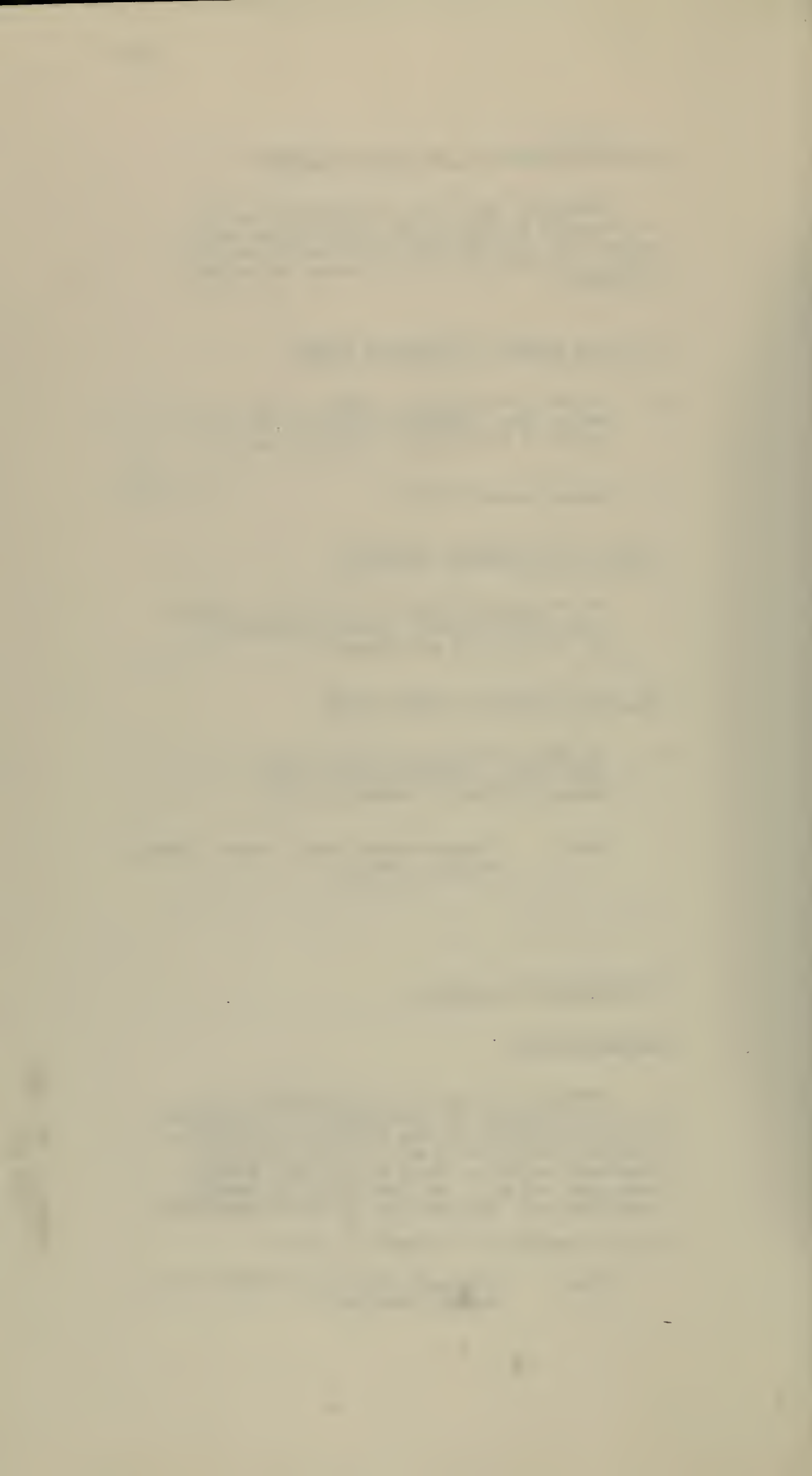
RESOLUTION NO. 1044-82

FERNANDO VALLE

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Fernando Valle in the sum of \$5,000.00 in Superior Court Action No. 776-300, entitled, "Fernando Valle vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 1, 1980

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez



RESOLUTION NO. 1045-82

MICHAEL J. BUNA

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Michael J. Buna in the sum of \$1,750.00 in Superior Court Action No. 752-727 entitled, "Michael J. Buna vs. the City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 16, 1979

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1046-82

RONALD ROGERS

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Ronald Rogers in the sum of \$1,000.00 in Superior Court Action No. 784-844 entitled, "Ronald Rogers vs. the City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 7, 1981

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1047-82

ERIC G. MANN

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Eric G. Mann in the sum of \$600.00 in Municipal Court Action No. 782-240 entitled, "Eric G. Mann vs. the City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 3, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy Sanchez



RESOLUTION NO. 1048-82

ROBERT SELVIDGE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert Selvidge against the City and County of San Francisco in the sum of \$374.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 30, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 1049-82

POLLY THOMAS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Polly Thomas against the City and County of San Francisco in the sum of \$289.75 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 4, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

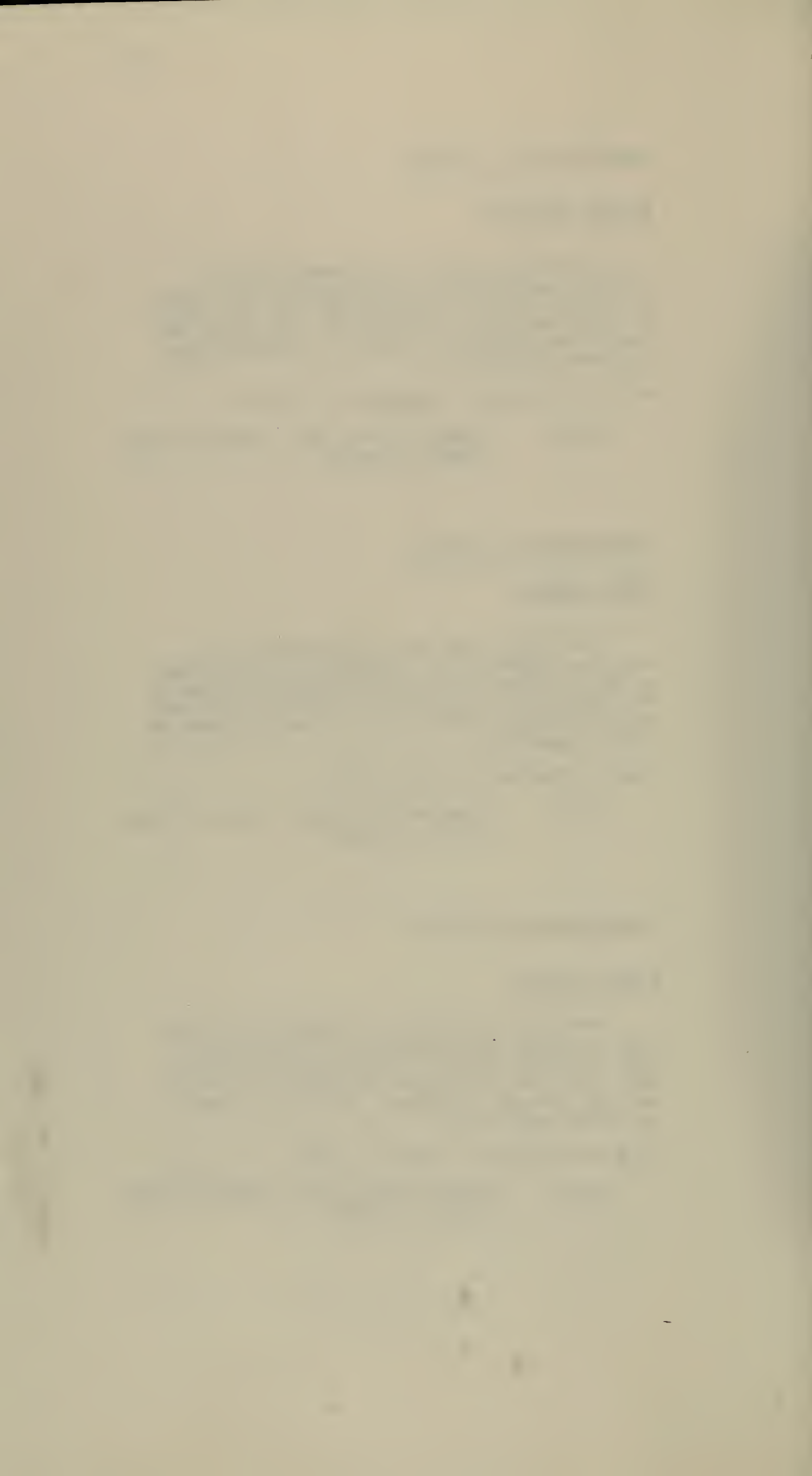
RESOLUTION NO. 1050-82

KIEN TU TRINH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kien Tu Trinh against the City and County of San Francisco in the sum of \$253.01 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 20, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez



RESOLUTION NO. 1051-82

CARL NEWMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carl Newman against the City and County of San Francisco in the sum of \$176.12 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 9, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1052-82

GREGORY J. CAVA & ROBERTA J. ROBINSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gregory J. Cava and Roberta J. Robinson against the City and County of San Francisco in the sum of \$173.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 3, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1053-82

MARY C. JENNESS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary C. Jenness against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 22, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez



RESOLUTION NO. 1054-82

JULIA LADAS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Julia Ladas against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 28, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1055-82

DANA PARNELLO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dana Parnello against the City and County of San Francisco in the sum of \$46.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 1, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1056-82

CARL M. CREWS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carl M. Crews against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 26, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez



RESOLUTION NO. 1057-82

RAYMOND HARRISON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Raymond Harrison against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 26, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1058-82

ALFRED SOUZA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alfred Souza against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 25, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1059-82

HANG FONG LEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Hang Fong Lee against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 28, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez



RESOLUTION NO. 1060-82

WILLY F. SORENSEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Willy F. Sorensen against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 28, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1061-82

ONUR ERBUG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Onur Erbug against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 29, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1062-82

MARY JANE HARRIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary Jane Harris against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 28, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez



RESOLUTION NO. 1063-82

B. J. FADEM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of B. J. Fadem against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 7, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1064-82

JANICE CAPECCI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Janice Capecci against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 4, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1065-82

STEVE HSIEH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Steve Hsieh against the City and County of San Francisco in the sum of \$18.40 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 21, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez



RESOLUTION NO. 1066-82

DE LOIS HART

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of De Lois Hart against the City and County of San Francisco in the sum of \$101.20 as the result of a faulty tow, be and the same is hereby approved.

Date of Incident: October 16, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1067-82

BRENDA HERYER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Brenda Heryer against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 23, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1068-82

CAROLYN SUE JENSEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carolyn Sue Jensen against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 24, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez



RESOLUTION NO. 1069-82

DANIEL O. TWITCHELL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Daniel O. Twitchell against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 24, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1070-82

MICHAEL D. BRYANT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael D. Bryant against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 23, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1071-82

LINDA STEWART

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Linda Stewart against the City and County of San Francisco in the sum of \$77.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 5, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez



RESOLUTION NO. 1072-82

LAWRENCE DENNIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lawrence Dennis against the City and County of San Francisco in the sum of \$142.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 15, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1073-82

STEVE EASTERBROOK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Steve Easterbrook against the City and County of San Francisco in the sum of \$45.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 28, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1074-82

KATHERINE KOELSCH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Katherine Koelsch against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 24, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez



RESOLUTION NO. 1075-82

BARBARA BUNKER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Barbara Bunker against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 5, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1076-82

ETHEL MORRISON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ethel Morrison against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 11, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1077-82

FRANK A. CARBONE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frank A. Carbone against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 11, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1078-82

STEPHEN C. LOWRY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Stephen C. Lowry against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 7, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1079-82

ABC TOWING & STORAGE CO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the ABC Towing & Storage Company against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 29, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1080-82

GRACE MARY HAIRE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Grace Mary Haire against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 3, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez



RESOLUTION NO. 1081-82

RUBY JEW

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ruby Jew against the City and County of San Francisco in the sum of \$86.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 16, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1082-82

JANET M. ROBINSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Janet M. Robinson against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 7, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1083-82

CURT BARNARD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Curt Barnard against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 21, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez



RESOLUTION NO. 1084-82

EUGENE L. WHITT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Eugene L. Whitt against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 21, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1085-82

PETER JAMES PANGELINAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Peter James Pangelinan against the City and County of San Francisco in the sum of \$151.20 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 1, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1086-82

PERRY HAWKINS & ERIC D. HAWKINS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Perry Hawkins and Eric D. Hawkins against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 12, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez



RESOLUTION NO. 1087-82

ROSEMARIE REGAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rosemarie Regan against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 29, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1088-82

RONALD WILLIAMS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ronald Williams against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 17, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1089-82

AMY E. GLENN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Amy E. Glenn against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 9, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez



RESOLUTION NO. 1090-82

FRANK H. JORDEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frank H. Jorden against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 30, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1091-82

STEVEN MARKS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Steven Marks against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 8, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1092-82

CLARENCE THOMPSON, JR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Clarence Thompson, Jr., against the City and County of San Francisco in the sum of \$169.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 26, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez



RESOLUTION NO. 1093-82

DONALD TUROS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Donald Turos against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 7, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1094-82

VI VONTAUFFKIRCHEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Vi Vontauffkirchen against the City and County of San Francisco in the sum of \$68.40 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 24, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1095-82

YELLOW CAB CO-OP, INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Yellow Cab Co-op, Inc., against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 30, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez



RESOLUTION NO. 1096-82

ANTON ZOUGHBIE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Anton Zoughbie against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 17, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1097-82

JENNIFER OENTOJO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jennifer Oentojo against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 16, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

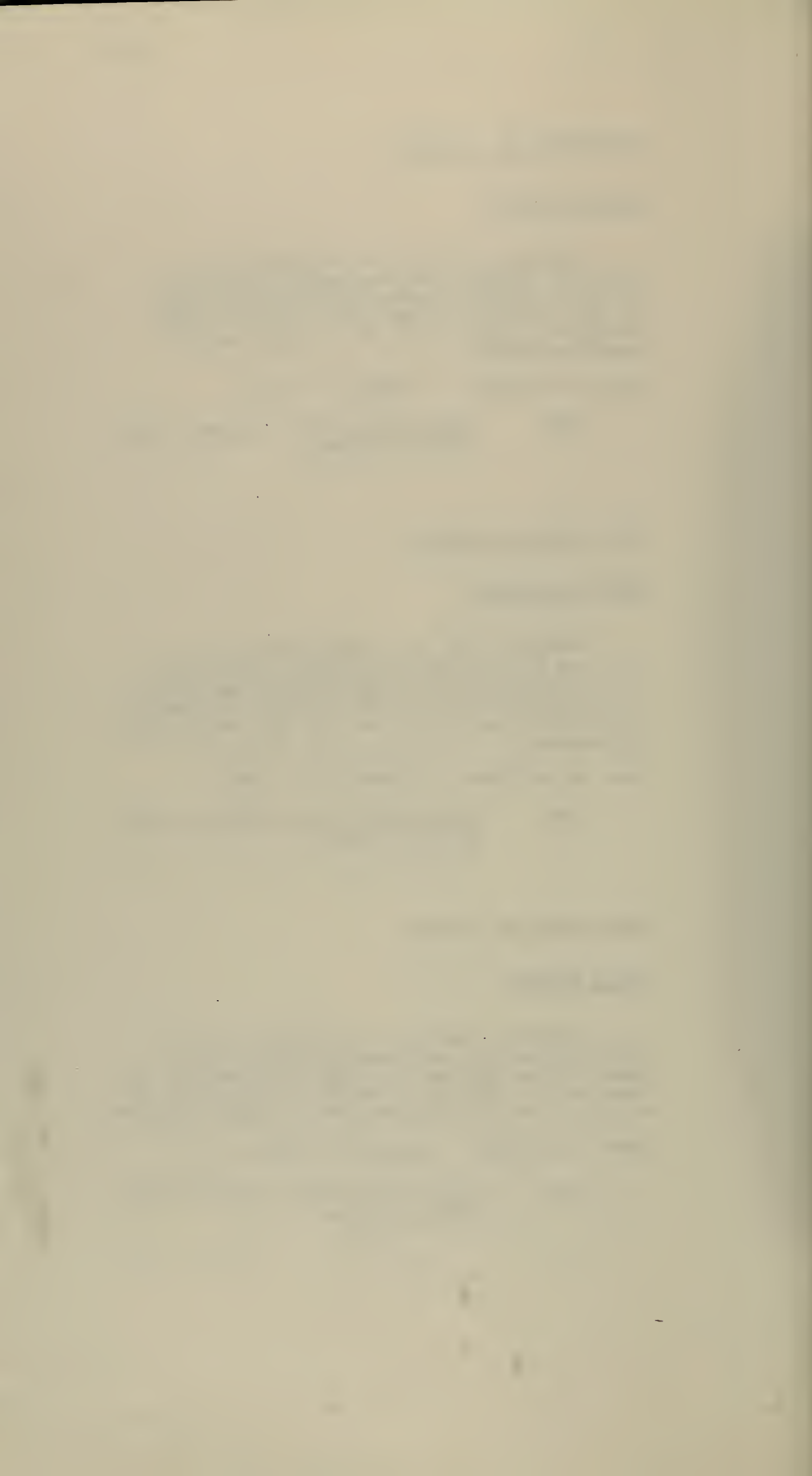
RESOLUTION NO. 1098-82

BRUCE WALLACE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bruce Wallace against the City and County of San Francisco in the sum of \$81.80 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 20, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez



RESOLUTION NO. 1099-82

M. R. MC ALISTER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of M. R. McAlister against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 28, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1100-82

PAULA R. PETERSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Paula R. Peterson against the City and County of San Francisco in the sum of \$36.80 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 9, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1101-82

ABC TOWING & STORAGE CO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the ABC Towing & Storage Company against the City and County of San Francisco in the sum of \$27.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 8, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez



RESOLUTION NO. 1102-82

LONNIE WONG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lonnie Wong against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 1, 1982

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1103-82

POLICE CONTINGENT FUND - APPROVED

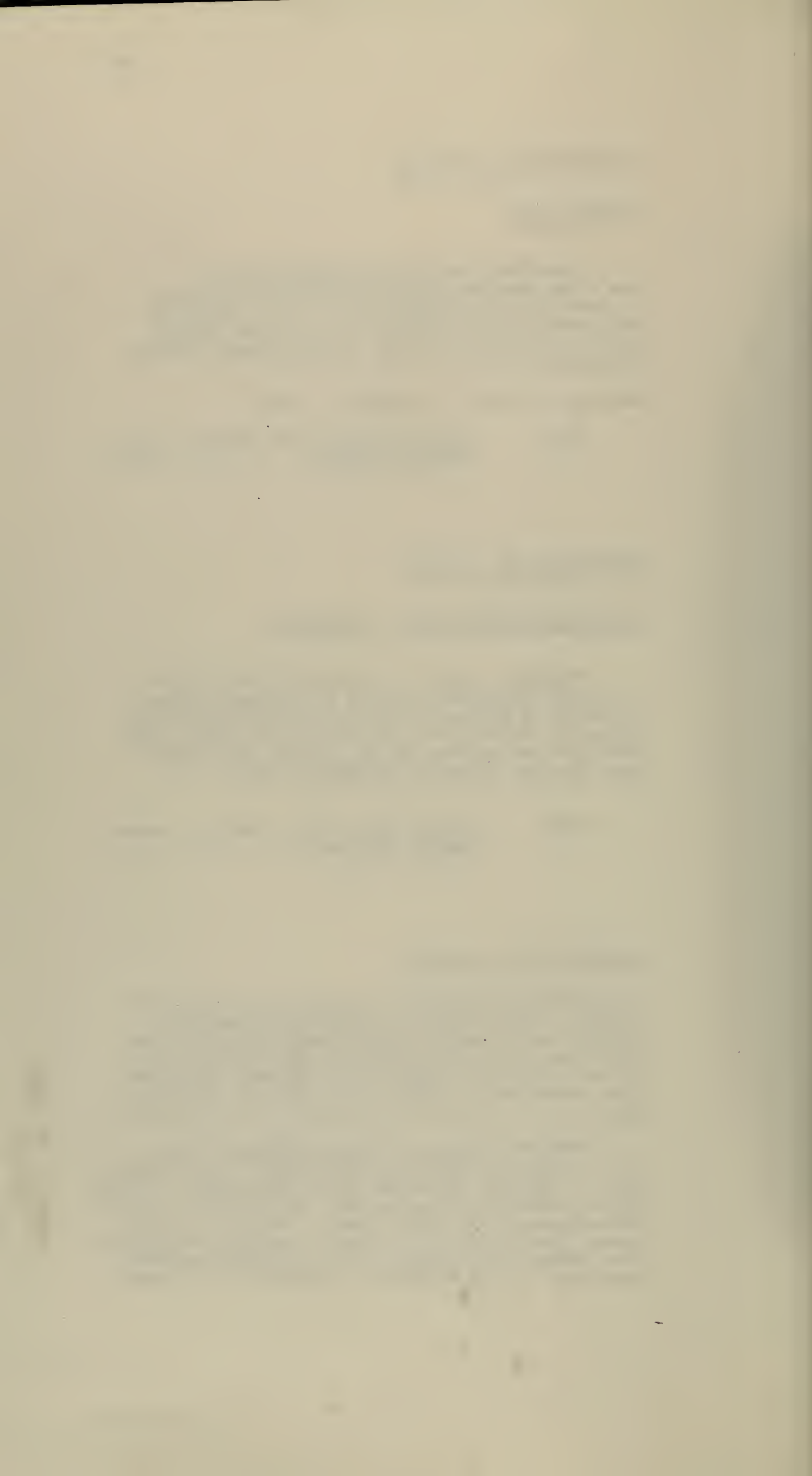
RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy in the amount of \$4,000.00 charging same to Index Code 580217 as an advance on the Police Contingent Fund for the month of December, 1982.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1104-82

AUTHORIZING ATTENDANCE OF PRINCIPAL CLERK JOYCE FARROW, CHIEF'S OFFICE, PRINCIPAL CLERK STENOGRAPHER DIANE BATES, ADMINISTRATION BUREAU, AND PRINCIPAL CLERK STENOGRAPHER BIBI HANIFA HAKIM, SUPPORT SERVICES BUREAU, AT A SEMINAR FOR EXECUTIVE SECRETARIES IN SAN FRANCISCO, ON JANUARY 13, 1983.

RESOLVED, that the recommendation of the Chief of Police that Principal Clerk Joyce Farrow, Chief's Office, Principal Clerk Stenographer Diane Bates, Administration Bureau, and Principal Clerk Stenographer Bibi Hanifa Hakim, Support Services Bureau, be detailed to attend a Seminar for Executive Secretaries conducted by Applied Management Institute in San Francisco, California on January



13, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named members of the Police Department, in a sum not to exceed \$155.00 each, for tuition, will be defrayed from the San Francisco Police Department's Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 1105-82

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant/Inspector Bradley)	\$712.00	(National College
Nicholson	)	(of Juvenile Jus-
Mission Station	)	(tice Workshop on
		(Serious Juvenile
		(Crime, Phoenix,
		(Arizona, November
		(29, 1982 to
		(December 3, 1982.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 1106-82

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Sergeant Michael Seybold)	\$25.00	(California
Legal Office)	each (Peace Officers

1907-1908

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Officer Howard Bergmark)	(Association
Legal Office)	(Training Seminar
)	(1983 Legal Updates,
Sergeant Joseph Northen)	(Santa Rosa, Calif-
Legal Office)	(ornia, November 29,
)	(1982.
Sergeant Anthony Balzar)	
Legal Office)	

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1107-82

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Commander Richard Trueb)	\$75.00	(California Peace
Internal Operations)		(Officers Associa-
Bureau)		(tion All-Committee
		(Conference, Oakland,
		(California, Decem-
		(ber 5, 1982 to De-
		(cember 8, 1982.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1108-82

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Officer Art Tapia)	\$295.00	(Workshop and In-
Community Relations)		(structor Training
Section)		(Program in Non-Vio-
		(lent Physical Crisis
		(Intervention, Oakland,
		(California, November
		(22, 1982 to November 23,
		(1982.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez



RESOLUTION NO. 1109-82

AUTHORIZING ATTENDANCE OF POLICE OFFICER DENNIS BONNELL, POLICE RANGE, AND POLICE OFFICER EDWARD COLLINS, POLICE ACADEMY, AT A FIREARMS INSTRUCTORS COURSE AT PLEASANTON, CALIFORNIA FROM JANUARY 3, 1983 TO JANUARY 14, 1983.

RESOLVED, that the recommendation of the Chief of Police That Police Officer Dennis Bonnell, Police Range, and Police Officer Edward Collins, Police Academy, be detailed to attend a Firearms Instructors Course conducted by the Federal Bureau of Investigation at Pleasanton, California, from January 3, 1983 to January 14, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named members of the Police Department in the amount of \$695.00 for subsistence, travel and registration fees are reimbursable by P.O.S.T. Officer Bonnell will attend this course as a commuter trainee and expenses in the amount of \$227.00 for travel and meal allowance are reimbursable by P.O.S.T.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 1110-82

AUTHORIZING ATTENDANCE OF SERGEANT/INSPECTOR HARLAN WILSON, PLANNING AND RESEARCH, AT A DEVELOPING ADMINISTRATIVE STAFF SKILLS SEMINAR AT LAS VEGAS, NEVADA, FROM JANUARY 17, 1983 TO JANUARY 21, 1983.

RESOLVED, that the recommendation of the Chief of Police that Sergeant/Inspector Harlan Wilson, Planning and Research, be detailed to attend the Developing Administrative Staff Skills Seminar conducted by the International Association of Chiefs of Police in Las Vegas, Nevada, from January 17, 1983 to January 21, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the Above-named member of the Police Department in



the amount of \$905.00 for registration fees, subsistence and travel will be defrayed from the San Francisco Police Department's Police Officers Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 1115-82

NOTIFICATION AND FILING OF CHARGES AGAINST
SERGEANT ROBERT DILLON, TARAVAL STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Sergeant Robert Dillon, Taraval Station, as follows:

SPECIFICATION NO. 1

Accepting presents from a person conducting a business within his district. (Violation of Rule 2.149 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Accepting presents from a person conducting a business within his district. (Violation of Rule 2.149 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to prevent crime. (Violation of Rule 2.01 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Failure to prevent crime. (Violation of Rule 2.01 of the Rules and Procedures of the San Francisco Police Department.)

THE HISTORY OF THE

REIGN OF

CHARLES THE FIRST

BY

JOHN BURNET

OF

SCOTLAND

IN

SEVEN VOLUMES

VOLUME THE FIRST

1677

LONDON

Printed by J. Streater, at the Sign of the Gun, in St. Dunstons Church-yard, near the North-Gate.

SPECIFICATION NO. 5

Failure to submit a written report on a matter given to him for action. (Violation of Rule 2.63 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 6

Engaging in conduct which tends to subvert the good order, efficiency, or discipline of the department. (Violation of Rule 2.13 of the Rules and Procedures of the San Francisco Police Department.)

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Sergeant Robert Dillon, Taraval Station, is set for Wednesday, December 29, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

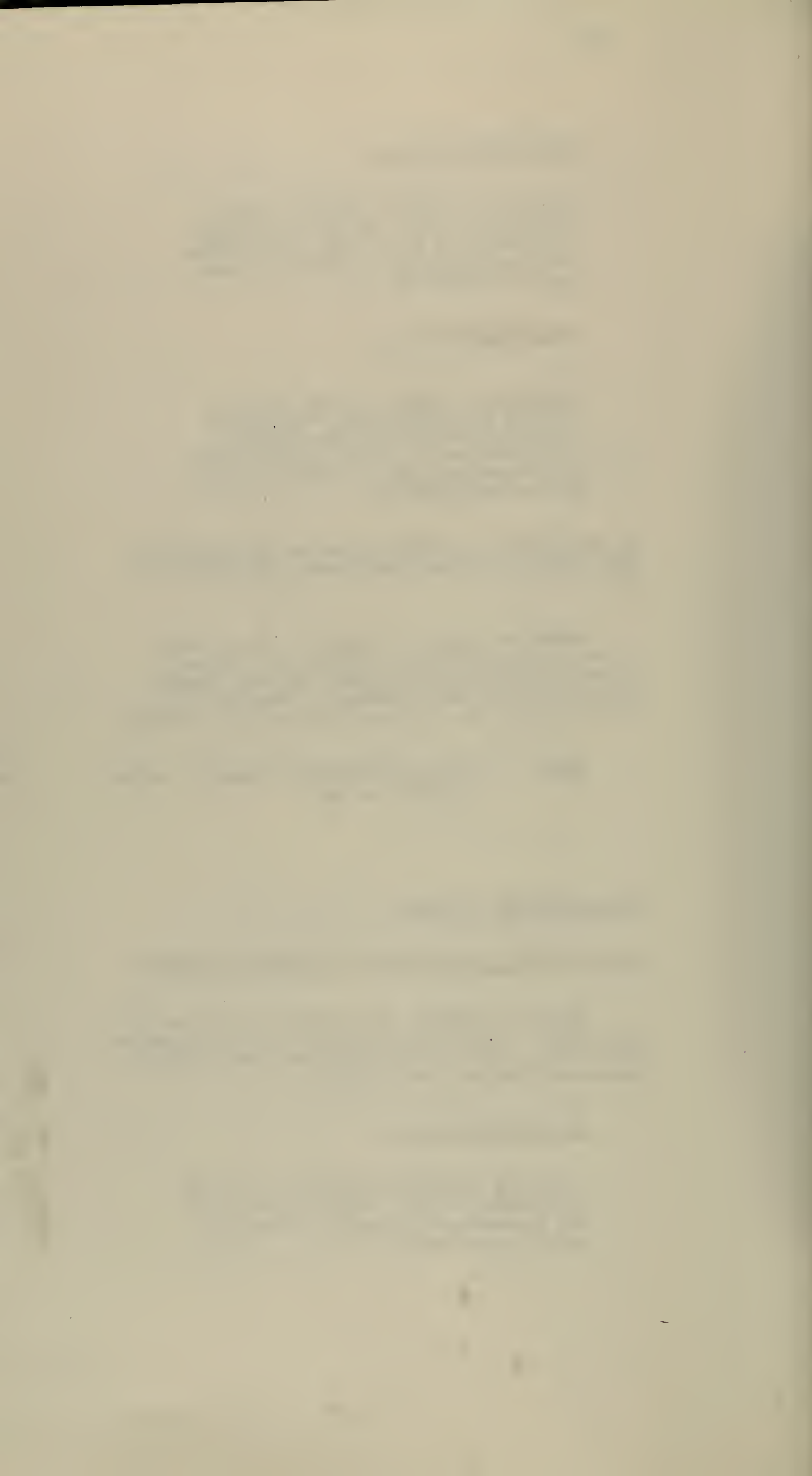
RESOLUTION NO. 1116-82

POLICE OFFICER GEORGE GRANT, INGLESIDE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer George Grant, Ingleside Station, as follows:

SPECIFICATION NO. 1

Receiving presents for police service. (Violation of Rule 2.145 of the Rules and Procedures of the San Francisco Police Department.)



SPECIFICATION NO. 2

Failure to prevent crime. (Violation of Rules 2.01 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to prevent crime. (Violation of Rule 2.01 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Failure to submit a written report of a crime to his commanding officer. (Violation of Rule 2.61 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 5

Engaging in conduct which tends to subvert the good order, efficiency, or discipline of the department. (Violation of Rule 2.13 of the Rules and Procedures of the San Francisco Police Department.)

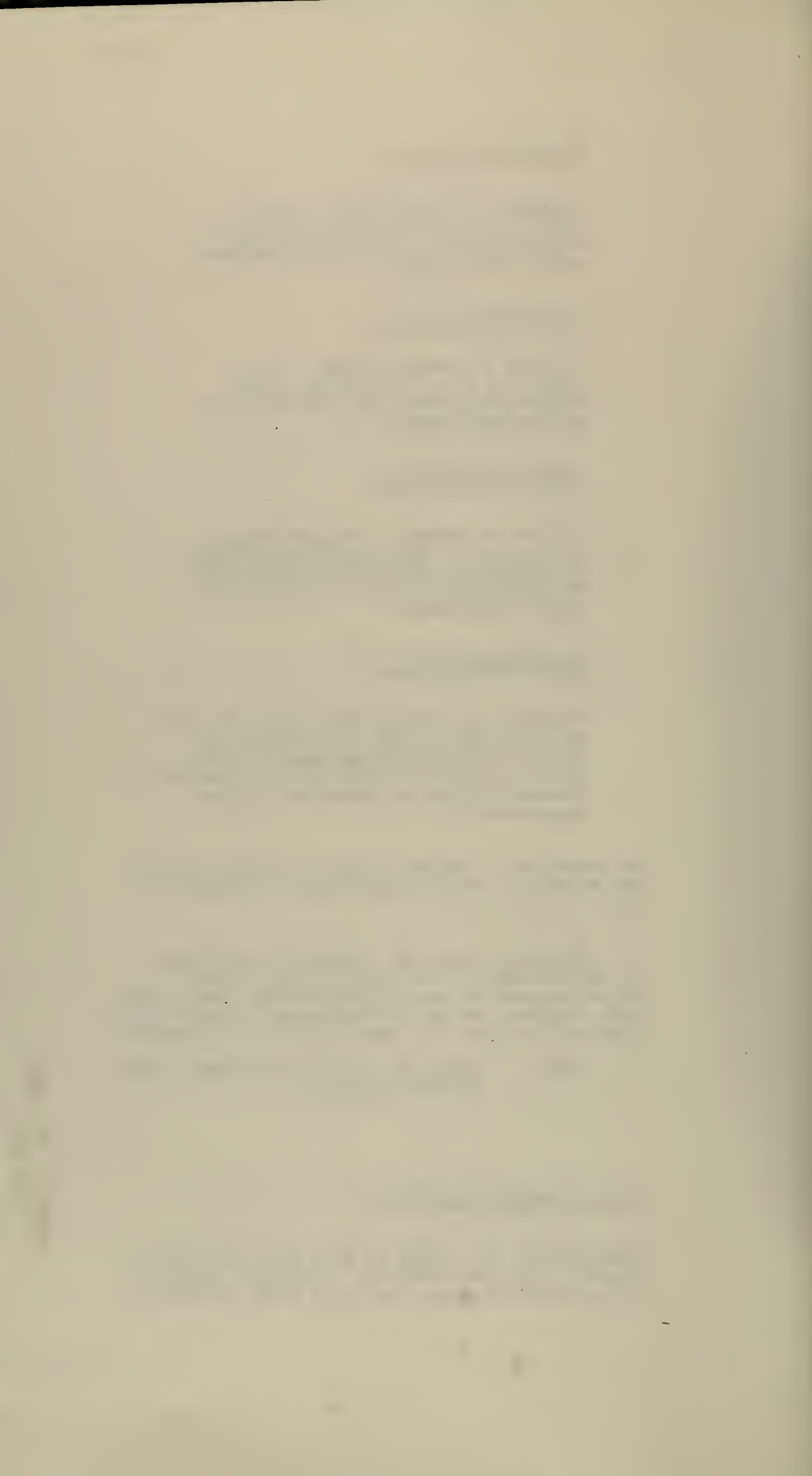
by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer George Grant, Ingle-side Station, is set for Wednesday, December 29, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

POLICE COMMISSION REPORT

Commissioner Daly said at this time she would request that the Commission entertain the draft of the ordinance for the False Alarm Abatement



Program at the next administrative meeting of the Commission.

She said she would also just like to mention, as a reminder, that the Commission is in expectation of a year-end report on the evaluation of the training in the academy as far as Police Community Relations, including the Public Housing Authority and the residents of public housing.

Deputy Chief Shannon said the request for the training report was in progress and there is a contract on Calendar tonight which will allow the Department to contract with the Housing Authority for the use of the Public Housing Police which will take effect January 1, 1983.

Commissioner Murphy said that she would like to request that the Commission discuss at the next administrative meeting, Mayor Feinstein's letter, particularly on the establishment of the foot patrol and to see what plans the Department may develop to bring that about.

Commissioner Sanchez stated for the record that an Executive Session was had tonight and no vote was taken.

CHIEF'S REPORT TO THE POLICE COMMISSION

Deputy Chief Shannon said that there is no Chief's Report tonight. However, he said, in response to Commissioner Murphy's query about the street lighting, the lights in many areas of the city are out and the department has officers out and evacuating some buildings in the area of the Embarcadero Center but he did not have enough information about it so that is why he didn't make it a part of the Chief's Report.

He said Captain O'Donnell said that there are massive traffic problems downtown but they are working on them and they seemingly are coping with them.

RESOLUTION NO. 1111-82

CONTRACT WITH THE HOUSING AUTHORITY FOR USE OF HOUSING AUTHORITY POLICE - APPROVED

RESOLVED, that the Chief of Police can



enter into an agreement with the Housing Authority for use of Housing Authority Police for specialized police services.

(Copy on file in the Police Commission Office.)

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

PRESENTATION OF MEDAL OF VALOR AWARDS AND CERTIFICATES

Commissioner Sanchez said the Commission, at this point, would like to congratulate the families and friends of the Officers who have been nominated pertaining to the Meritorious Awards which will be presented this evening.

He continued by saying that it is an honor for each Commissioner to Chair the Awards Committees and to see the nominations and the dedication, the procedure, and the spirit of the men and women of the Department who are trying to maintain the highest level of excellence in the day-to-day performance of their police services. He then explained the method and procedure by which the awards are granted.

He then said that tonight it is a very unique and very sad occasion in many ways in that five Gold Medals are being presented, including one to the late Sergeant John Macaulay who gave his life for the citizens of San Francisco in pursuit of outstanding police services.

He said again the Commission wishes to congratulate all of the Officers for their outstanding nomination and service, and in always maintaining and keeping the highest degree and highest professionalism in the execution of their day-to-day operations.

The awards were presented as follows:

Sergeant John Macaulay
(Posthumously).....Gold Medal of Valor

Police Officer Dennis L. McCaffrey.....Gold Medal of Valor

Police Officer Dennis J. Quinn.....Gold Medal of Valor

Police Officer Earl E. Wismer. Gold Medal of Valor

Police Officer Robert J. Wood. Gold Medal of Valor

Assistant Inspector John G. Fowlie.....Silver Medal of Valor



Police Officer Louis J.
Glaser.....Silver Medal of Valor

Police Officer Daniel J. May..Silver Medal of Valor

Police Officer Ronald Roth...Silver Medal of Valor

Police Officer James L.
Batchelor.....Bronze Medal of Valor

Police Officer Michael D.
Becker.....Bronze Medal of Valor

Police Officer Michael D.
Chan.....Bronze Medal of Valor

*Police Officer Christopher H.
Cunnie.....Bronze Medal of Valor

Police Officer Sally L.
DeHaven.....Bronze Medal of Valor

Police Officer Joaquin
Dominguez, Jr,.....Bronze Medal of Valor

*Police Officer Timothy A.
Flaherty.....Bronze Medal of Valor

Police Officer James S.
Guerrero.....Bronze Medal of Valor

Police Officer Robert L.
Jensen.....Bronze Medal of Valor

Police Officer John M.
Kowal.....Bronze Medal of Valor

Police Officer Francisco
Mendez.....Bronze Medal of Valor

Police Officer Steven R.
Shanahan.....Bronze Medal of Valor

Police Officer Thomas J.
Vellone.....Bronze Medal of Valor

Police Officer Joseph L.
Weaterman.....Bronze Medal of Valor

Police Officer Stephen A.
Zimmerman.....Bronze Medal of Valor

Police Officer Daniel A.
McDonagh.....Meritorious Conduct
Certificate

Police Officer Jere M.
Williams.....Meritorious Conduct
Certificate

(*Received two (2) Bronze Medals)



RESOLUTION NO. 1112-82

DEPARTMENT GENERAL ORDER B-1, PHYSICAL FITNESS
STANDARDS - APPROVED

RESOLVED, that the Police Commission hereby adopts Department General Order B-1, Physical Fitness Standards.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUITON NO. 1113-82

DEPARTMENT GENERAL ORDER A-7, DEPARTMENT LETTER-
HEAD STATIONERY - APPROVED

RESOLVED, that the Police Commission hereby adopts Department General Order A-7, Department Letterhead Stationery.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

PUBLIC HEARING ON GENERAL ORDER A-5 - "ORGANIZA-
TIONAL STRUCTURE AND FUNCTIONS." - HELD OVER UNTIL
FURTHER NOTICE.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

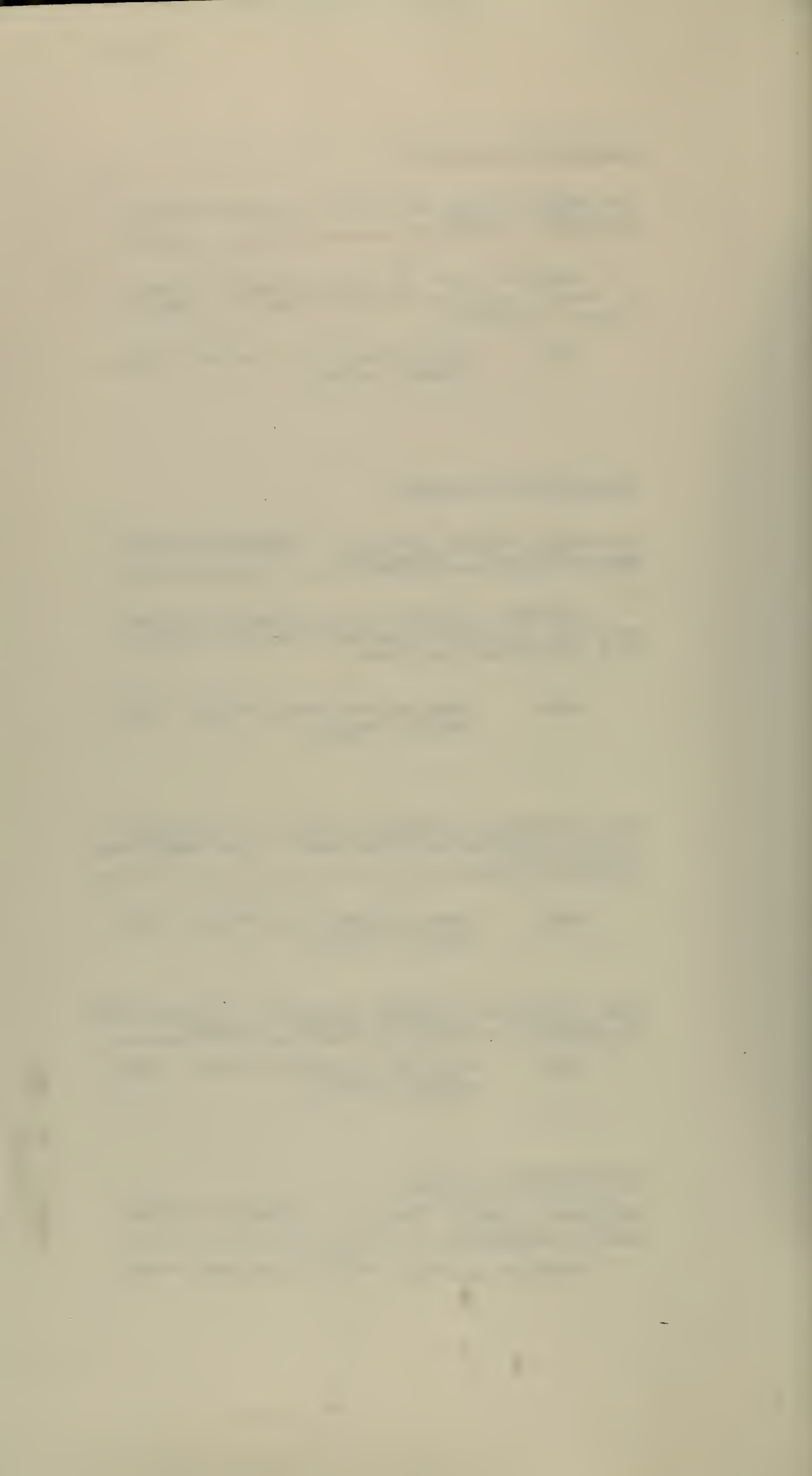
PUBLIC HEARING ON GENERAL ORDER D-6 - "CERTIFICATE
OF RELEASE." - CONTINUED FOR TWO (2) WEEKS

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 1114-82

DEPARTMENT GENERAL ORDER I-3 - CITATION RELEASE
POLICY - APPROVED

RESOLVED, that the Police Commission hereby



adopts Department General Order I-3, Citation Release Policy.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

PUBLIC HEARING ON THE ESTABLISHMENT OF AN
OFFICE OF CITIZEN COMPLAINTS IN THE POLICE
DEPARTMENT.

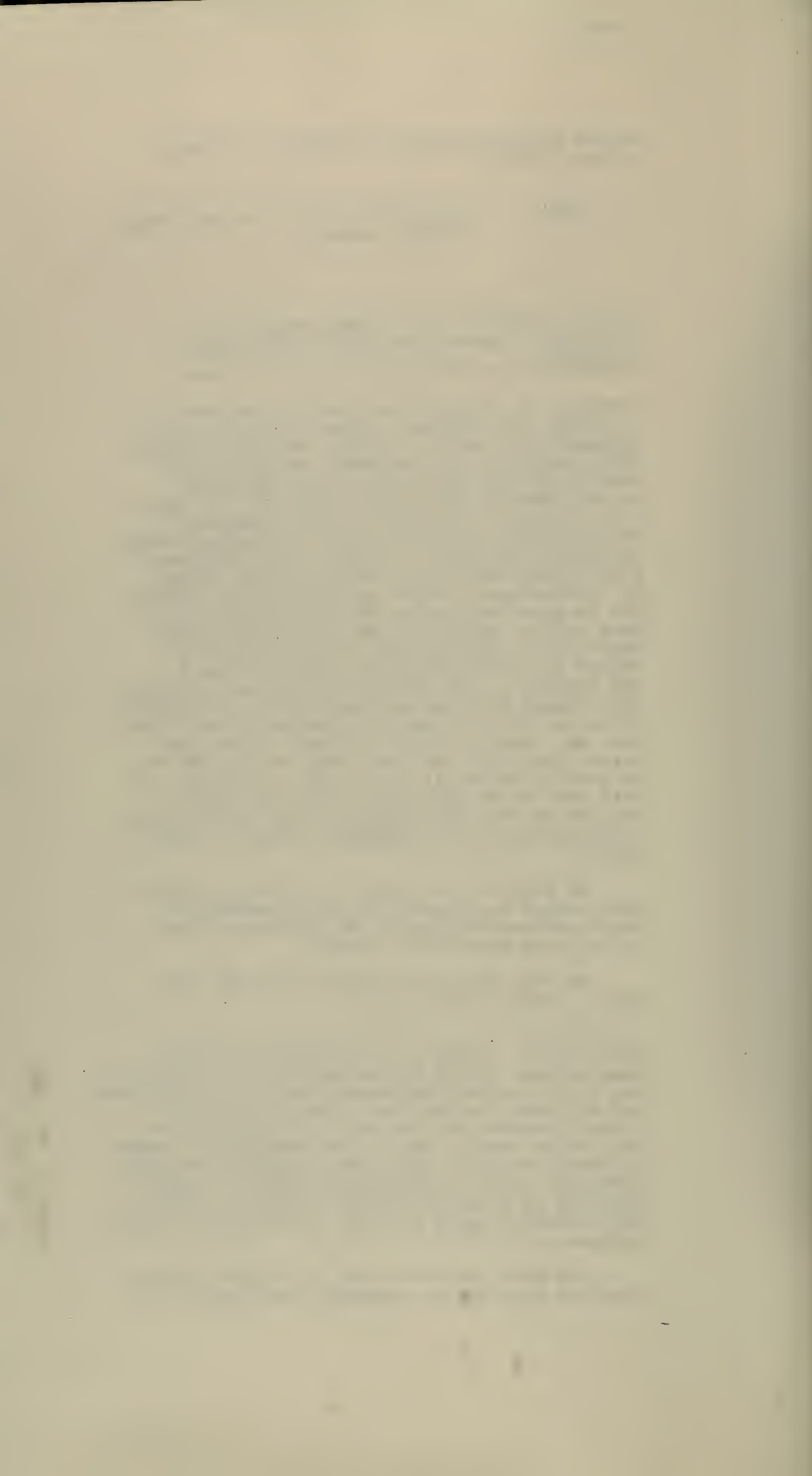
Commissioner Sanchez said that as everyone is aware, the citizens of San Francisco passed Proposition A which, in fact, mandated that an Office of Citizens Complaints be established within the San Francisco Police Department. He said that at this point, because of a legality of matters pertaining to the Commission meeting as a group with either individual Staff or people, etcetera, he said he has appointed a sub-committee of the Commission consisting of Commissioner Nelder and Commissioner Murphy who is vice chairperson of the Commission to meet with a variety of the Police Department Staff, Civil Service and others to begin to define the implementation of Proposition A, the questions, the classifications and to bring that report back to the Commission in a public forum so that this way the Commission could listen, as a whole, to the findings of the task force along with the Staff and, at that point, we would schedule it for a public meeting. He said that there may be more than one public hearing on the issue because there are a number of people who have requested to speak to this item.

He said so this now is at least the first opportunity for input from the citizenry of San Francisco along with the recommendations of our task force this evening.

He then turned the meeting over to Vice Chair, Commissioner Murphy.

Commissioner Murphy then stated that she and Commissioner Nelder had met several times with the Civil Service Commission Staff, Mr. John Walsh and Mr. Monty Mansir, who is their expert on classifications of personnel and also with Deputy Chief Shannon who is the Department's expert on budget request, as it was incumbent upon the Committee to get a supplemental budget request prepared in a timely manner in order to obtain the necessary funds for the implementation of the proposal.

She said they have also received a classification plan for the Director and Staff of the



Office of Citizen Complaints and also a position statement of what would be necessary for said positions in accordance with the budget requests. She said the proposition itself, makes funding a little difficult as it has placed a ceiling on the amount of funds to be expended in the implementation of the proposal.

Commissioner Nelder said there has to be a starting point, has to be a budget and classification of positions and that is what Deputy Chief Shannon is going to address. So, he said, he would turn it over to Deputy Chief Shannon at this point.

Deputy Chief Shannon said when Proposition A was passed, Commander Richard Trueb and himself met with the City Attorney's Office to get an interpretation of just what the Proposition meant regarding the budget and how the budget was to be calculated.

He said they also met with the Controller's Office who prepared the budget dollar amount that was in the voters pamphlet.

He said the Controller originally included only personnel cost. He said they found out from the City Attorney's Office that it would be proper to include besides personnel cost in figuring out the budget the other peripheral expenses to running the Internal Affairs Division during the budget year that is set up in the ordinance in the year 80-81. He said they came up with a documented personnel cost of \$861,000.00, and cost, not documented in the budget, they were able to come up with an additional \$28,000. So they came up with a budgeted amount of \$889,545.00. He said they then took 60% of that as the figure that was set out in the Charter and that came down to a figure of \$533,727.00. He said they added 10% inflation for the year 1980-81 and it amounted to \$53,000. He continued by saying they then added that to the 60% figure and then came to a figure of \$587,100 and added another 10% for 82/83 and that gave them a total budget for the year 82/83 of \$645,000.

He said they submitted this in a supplemental budget to the Commission in early December so that it may commence movement into the process.

He said the timetables were a little bit off as they had proposed that the Commission hire the Director and his office staff by January 1, 1983, and thereafter, on February 1, 1983 they would hire the additional personnel needed, this then would give the Director the opportunity to interview persons before hiring them.



He said the Department originally just cut that \$645,000 in half, so it ended up with too much money for the six (6) month period of time and now that budget has been adjusted so that the amount of money for the last six (6) month period is now \$296,401.00 an amount less than half.

Commissioner Sanchez then invited those parties who desired to speak on the subject to come forth, give their names and the organization they represented, and if their comments were for, against, and/or suggestions, the Commission would appreciate their comments.

The speakers were as follows:

Mr. Dana Van Gorder - Aide to Supervisor
Harry Britt

Mr. Stewart Judsen - Officer of Administrative
Hearings

Mr. Amitai Schwartz - Attorney, American Civil
Liberties Union

Mr. Serniss Fleishman - Board Member of San Francisco
Chapter of the A.C.L.U.

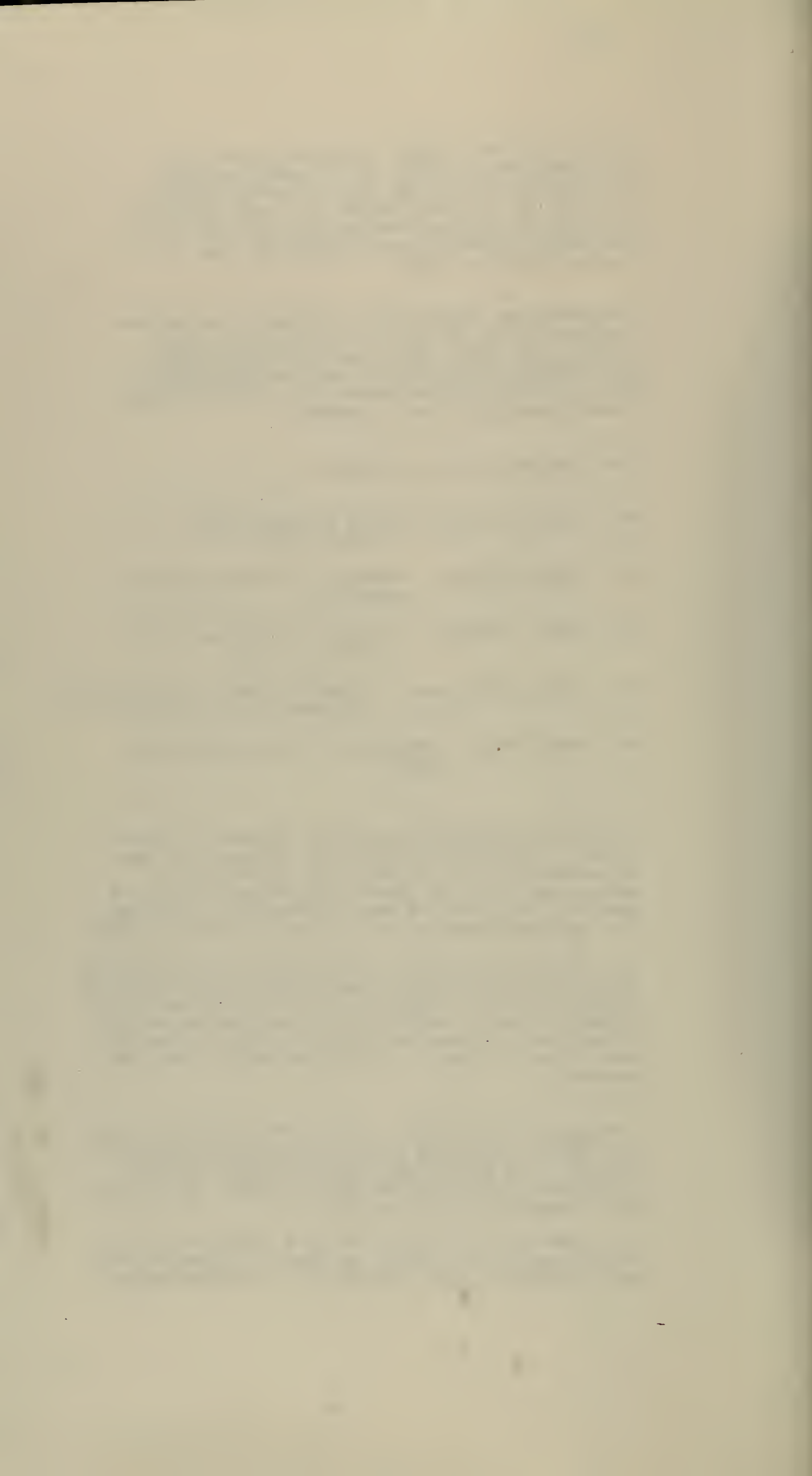
Mr. Jim Morales - President, Latino Democtraic
Club

During the presentation of Mr. Schwartz, Commissioner Murphy said to him that she would be more interested in his getting some flyers out to people who would be interested in the Director's position and that she was interested in the hearing officer matter also, but that would come later.

She said she would really like to see the Bar Association really put some brain power out and get people, like for example, there is an investigator of Melvin Belli, someone like that who has an instinct for outstanding investigating, is what she would like to have in the Office of Citizens Complaints.

Commissioner Daly also said to Mr. Schwartz and Mr. Van Gorder that they and other people of the Community could maybe help the Commission design a character profile of the kind of human being that the Commission is looking for.

She said San Francisco is a city that is magnificent in its broad spectrum of human beings, and lifestyles, and agreements and disagreements,



and languages, and problems. She said she felt it would be a tremendous help to the Police Commission and to the city if they could help with a personality profile in looking at the kind of person who would be able to hold this sensitive and powerful position.

During the presentation of Mr. Jim Morales, Commissioner Murphy advised him that the Police Commission has scheduled the next meeting on the Office of Citizens Complaints in the Mission District on January 19, 1983 at the Jamestown Community Center and asked him if he would be willing to come to that meeting, and having gone over the suggested rules, give your input as to your feelings about them.

Mr. Morales said he would be quite willing to organize a group to attend this meeting.

At the conclusion of listening to the speakers, Commissioner Nelder said he felt that this would be an appropriate time to move for the approval of the budget which is under consideration, and pursue through the City Attorney as to whether there is a differential there to acquire additional monies to hire additional investigators.

He then made the motion to this effect.

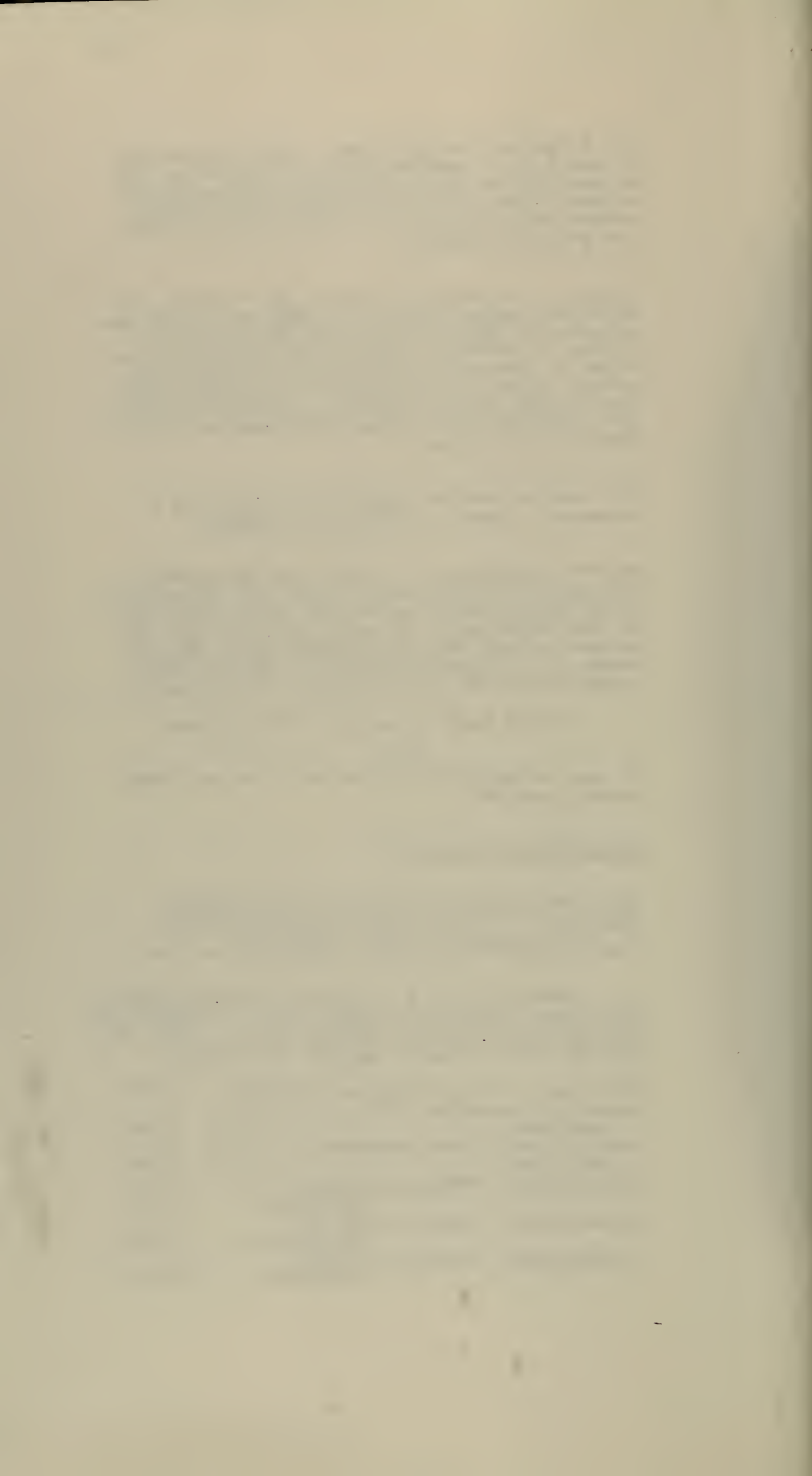
It was seconded by Commissioner Toler and unanimously approved.

RESOLUTION NO. 1118-82

PROPOSED BUDGET AND POSTION CLASSIFICATIONS
FOR OFFICE OF CITIZEN COMPLAINTS FOR JANUARY
1, 1983 TO JUNE 30, 1983 - APPROVED

RESOLVED, that the proposed budget and position classifications for the Office of Citizen Complaints for January 1, 1983 to June 30, 1983, be, and the same is hereby approved as follows:

Director, Office of Citizen Complaints	8128
Senior Investigator, Officer of Citizen Complaints	8126
Senior Investigator, Officer of Citizen Complaints	8126
Investigator, Office of Citizen Complaints	8124
Investigator, Office of Citizen Complaints	8124
Investigator, Office of Citizen Complaints	8124



Investigator, Office of Citizen	
Complaints	8124
Investigator, Office of Citizen	
Complaints	8124
Investigator, Office of Citizen	
Complaints	8124
Investigator, Office of Citizen	
Complaints	8124
Principal Clerk	1408
Senior Clerk Stenographer	1446
Senior Clerk Typist	1426
Transcriber Clerk	1430

Total Adjusted Costs for 1/1/83 to 6/30/83


Personnel Costs	\$228,256.00
Hearing Officer Costs	54,338.00
Office Expense Costs	13,807.00
Total Costs	<u>\$296,401.00</u>

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

Commissioner Sanchez then thanked the Committee of the Commission, Commissioners Murphy and Nelder, for their efforts in the number of meetings with Civil Service Personnel and Department Staff in putting this matter together.

He also thanked the people who attended and offered their input and support and will continually keep everyone informed as to future meetings, progress and etcetera.

The Commission then adjourned its meeting at 8:00 p.m.



WILLIE E. FRAZIER
SECRETARY



9/82
 2
29 DECEMBER 1982

EXECUTIVE SESSION

Minutes
 The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Wednesday December 29, 1982 at 1645 hours in Executive Session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy,

ABSENT: Sanchez

DOCUMENTS DEPT.

Commissioner Murphy presiding.

APR 22 1983

1. Attorney-Client Conference.

SAN FRANCISCO
PUBLIC LIBRARY

No vote was taken.

29 DECEMBER 1982

REGULAR SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, December 29, 1982 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy.

ABSENT: Sanchez

Commissioner Murphy presiding.

RESOLUTION NO. 1129-82

SETTING OF DATE FOR HEARING OF SERGEANT ROBERT DILLON
 TARAVAL STATION.

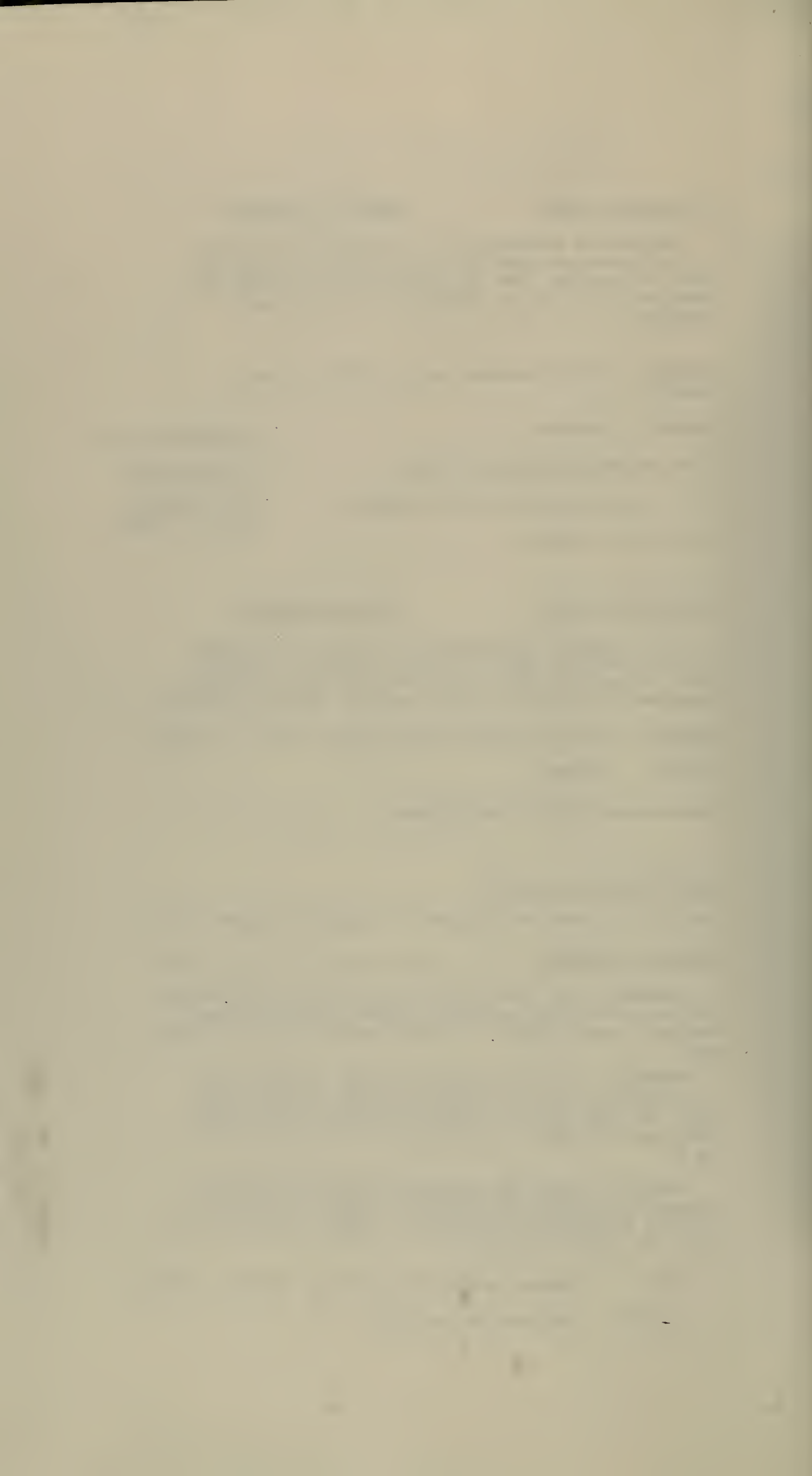
WHEREAS, the date to be set for the disciplinary hearing of Police Sergeant Robert Dillon, Taraval Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, attorney for the San Francisco Police Department, that the date for the hearing before the Police Commission be set for February 9, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Sergeant Robert Dillon is set for Wednesday, February 9, 1983 at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy

ABSENT: Commissioner Sanchez



RESOLUTION NO. 1130-82

SETTING OF DATE FOR HEARING OF POLICE OFFICER GEORGE GRANT,
TARAVAL STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer George Grant, Taraval Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Officer Grant, that the date for the setting of the hearing before the Police Commission be set for January 5, 1983;
therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer George Grant, Taraval Station, is set for Wednesday, January 5, 1983 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 1131-82

SETTING OF DATE FOR HEARING OF POLICE OFFICER BOB C. DAVIS
MISSION STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Bob C. Davis, Mission Station, was called it having been set for this date, and

WHEREAS, it was requested by Mr. John Prentice, attorney for Officer Davis, that the date for the hearing before the Police Commission be set for January 26, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Bob C. Davis, Mission Station, is set for Wednesday, January 26, 1983, at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 1133-82

CAPTAIN DONALD A. GOAD, MUNI TRANSIT DIVISION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Captain Donald A. Goad, MUNI Transit Division, as follows:

SPECIFICATION NO. 1

Failure to conduct a thorough investigation of misconduct by a member of his command (violation of Rule 2.245 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it



RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Captain Donald A. Goad, MUNI Transit Division, is set for Wednesday, January 5, 1983 at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 1134-82

POLICE OFFICER DENNIS H. ALVARENGA, MUNI' TRANSIT DIVISION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Dennis H. Alvarenga, MUNI Transit Division, as follows:

SPECIFICATION NO. 1

Failure to take proper action to prevent crime while off-duty (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to maintain himself in a fit condition to perform police duties while carrying a fire-arm off-duty (violation of Rule A-3 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 3

Failure to treat members of the public with courtesy and respect while acting in the capacity of a peace officer while off-duty (violation of Rule A-14 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 4

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department and which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Dennis H. Alvarenga, MUNI Transit Division, is set for Wednesday, January 5, 1983, at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy

ABSENT: Commissioner Sanchez



RESOLUTION NO. 1119-82

VIRGIE ADAMS

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Virgie Adams in the sum of \$6,396.43 in Superior Court Action No. 788-402, entitled "Virgie Adams vs. City and County of San Francisco, etc., "as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 11, 1981

AYES: Commissioners Daly, Toler, Nelder, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 1123-82

RAYMOND LEE HONOR

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Raymond Lee Honor in the sum of \$250.00 in Municipal Court Action No. 819-448 entitled "Raymond Lee Honor vs. City and County of San Francisco, William J. Kelly, R. Knappick, John Doe Guinan and John Doe Parry, etc." as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 10, 1980

AYES: Commissioners Daly, Toler, Nelder, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 1120-82

ROBERT C. DAVIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert C. Davis against the City and County of San Francisco in the sum of \$500.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 10, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 1121-82

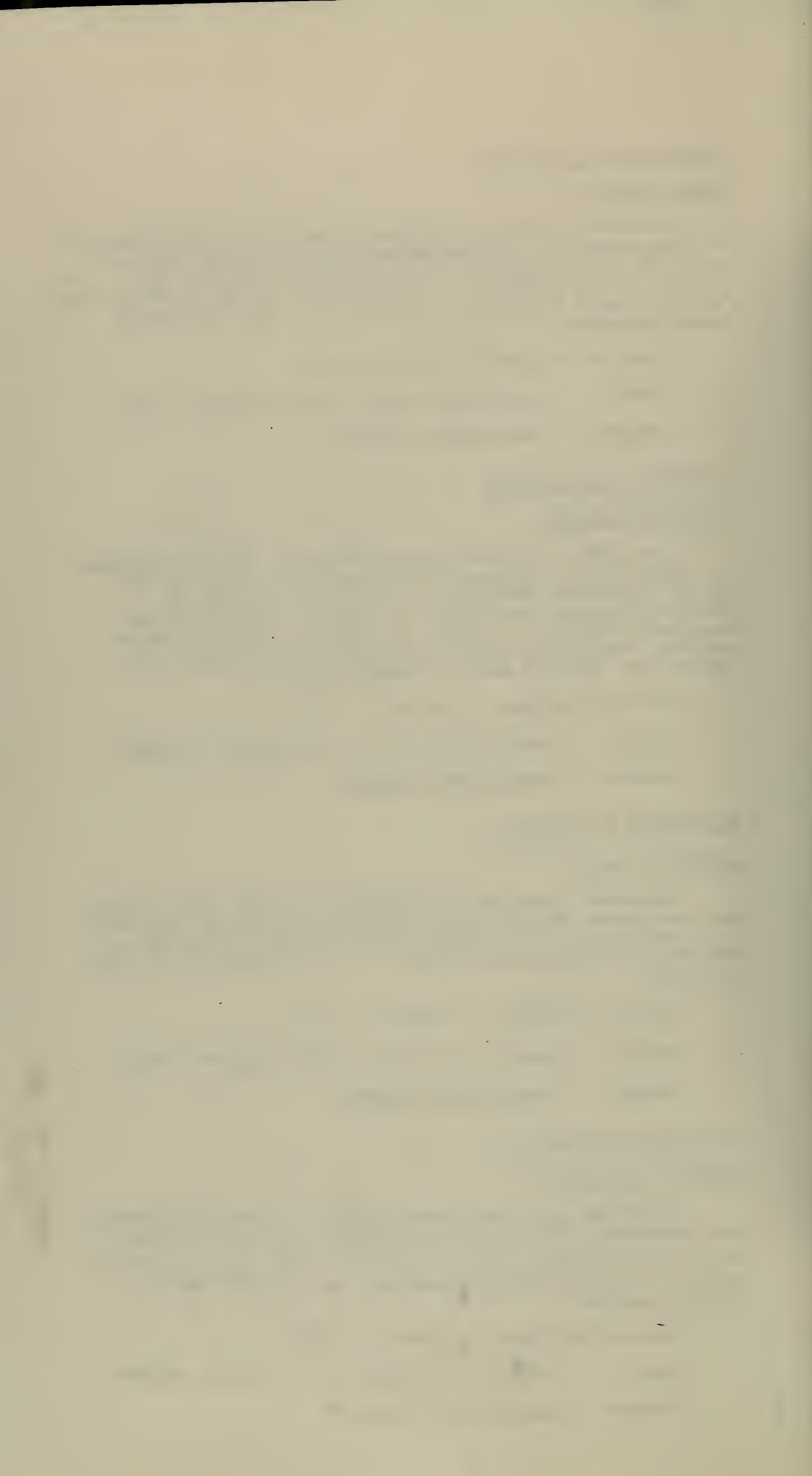
HERBERT W. YANOWITZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Herbert W. Yanowitz against the City and County of San Francisco in the sum of \$1,060.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 13, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy

ABSENT: Commissioner Sanchez



-911-

RESOLUTION NO. 1122-82

DAVID PERRYMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David Perryman against the City and County of San Francisco in the sum of \$200.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 13, 1982

AYES: Commissioners Daly, Toler, Nelder,
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 1124-82

BRYAN JUNG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bryan Jung against the City and County of San Francisco in the sum of \$86.80 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 13, 1982

AYES: Commissioners Daly, Toler, Nelder,
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 1125-82

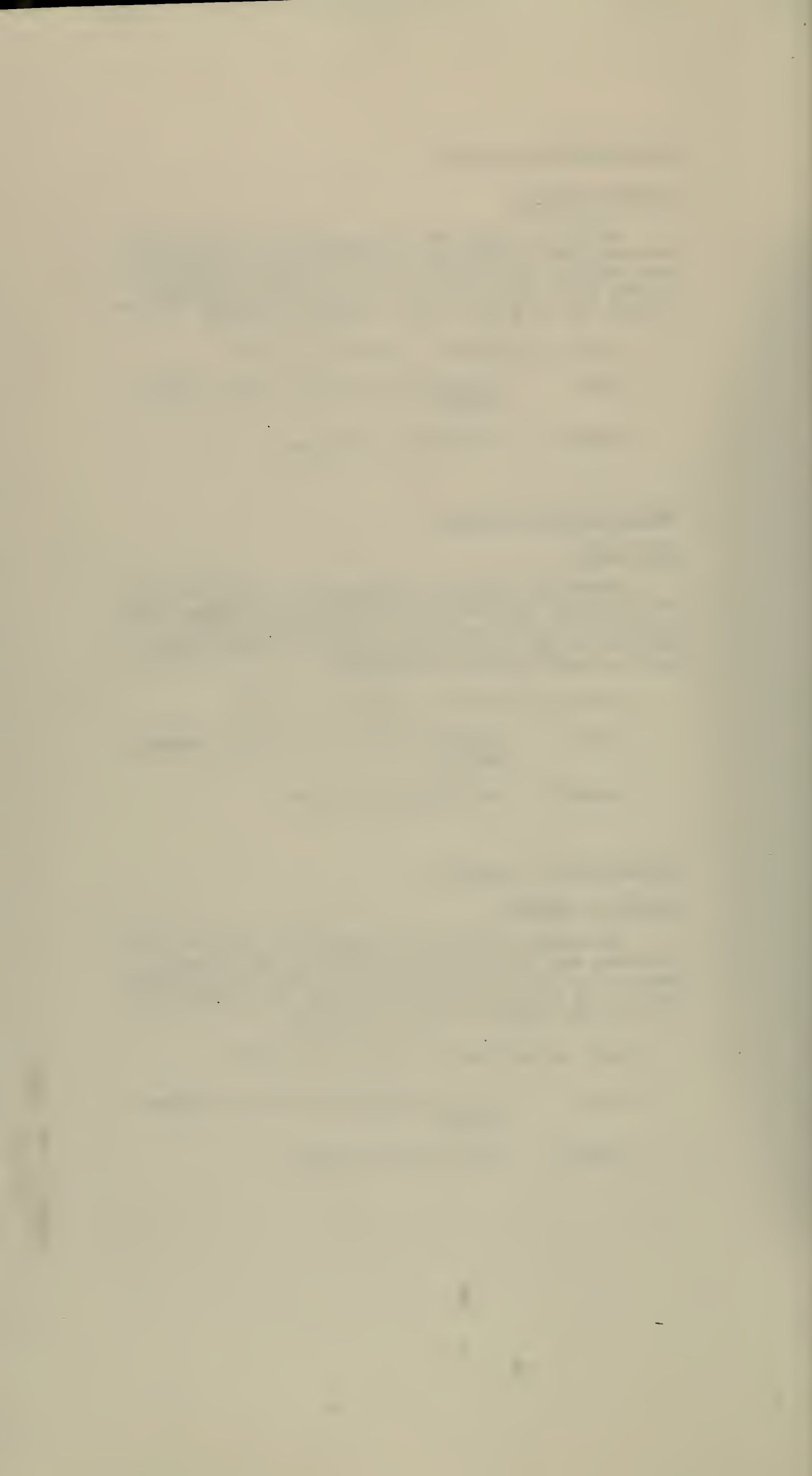
CLAIRE A. GRINDE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Claire A. Grinde against the City and County of San Francisco in the sum of \$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 13, 1982

AYES: Commissioners Daly, Toler, Nelder,
Murphy

ABSENT: Commissioner Sanchez



TRAVELING EXPENSE VOUCHERS - APPROVEDRESOLUTION NO. 1126-82

RESOLVED, that the Travel Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Sgt. Kenneth Davis) \$798.00 (Field Training
(Officer Course
(Santa Cruz, California
(11/14/82-11/19/82

AYES: Commissioners Daly, Toler, Nelder,
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 1127-82

RESOLVED, that the Travel Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Sgt. Edmund Pecinovsky) \$25.00 ea. (Calif. Peace
Sgt. John Minoli) (Officers Assoc.
Lt. Franklin Greer) (Training
(Seminar-1982
(Legal Updates
(San Jose, Calif.
(12/10/82

AYES: Commissioners Daly, Toler, Nelder,
Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 1128-82

RESOLVED, that the Travel Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:



Sgt. Fernando. Gamez	)	\$25.00	(California Peace
Sgt. Michael Folena	)		(Officer Assoc.
Sgt. Gary Peters	)		(Training Seminar
Sgt. Fred Lau	)		(Oakland, California
Sgt. Michael Hebel	)		(12/10/82
Officer Peter Martin)		
Officer Roy Sullivan)		
Officer Lawrence Rayn)		

AYES: Commissioners Daly, Toler, Nelder,
Murphy

ABSENT: Commissioner Sanchez

POLICE COMMISSION REPORT.

NO COMMISSION REPORT.

CHIEF'S REPORT.

Chief Murphy said the only thing he had to report is the volume of index crimes so far this year.

He continued by saying that as we only have three more days to go in the year it will be the lowest crime rate since 1977.

Commissioner Toler then asked what did the Chief contribute that to and the Chief responded by saying "Leadership".

Commissioner Murphy then said said she would accept a motion to commend the Chief and the entire police department.

Commissioner Toler seconded and it was unanimously approved.

Commissioner Murphy said maybe she could go back to the police Commission Report and mention the marvelous job Mr. Jim Mass did in analyzing the Toronto, Canada OCC proposal and giving the Commission a breakdown of its contents. She said she felt that this is a marvelous use of his time because he is a very good analyst and research person and she would like to commend him also.

She said also there is a questionnaire that should be answered by the Commission.

She said she would first like to ask if anyone knows whether that bill which was introduced in the legislator allowing a police officer to sue a person who wrongfully accuses him of using excessive force had passed, or was it vetoed.

Mr. Jerry Akins, attorney for the legal office, responded and said that this bill has been enacted and he would get copies for the Commission at this time.



Commissioner Murphy said the Commission would like to see it as the proposed legislation attached to the questionnaire does not have any use since the bill has been enacted as stated by Mr. Akins.

She said it is important for the Commissioners to have the legislation in mind when they respond to the questionnaire and that she definitely felt everyone should have a copy of it.

Mr. Akins then made copies and submitted them to the Commissioners.

REQUEST FOR SUPPLEMENTAL APPORRIATION TO EXPAND THE SENIOR ESCORT OUTREACH PROGRAM INTO THE MISSION DISTRICT.

Commissioner Nelder said before the Commission adjourned he would like to offer commendation and appreciation to the Commission Secretary whom he felt has done a fine job as usual this year putting up with five distinct personalities that go all over the lot, so, he said, he felt the Commission should take recognition of Lt. Frazier.

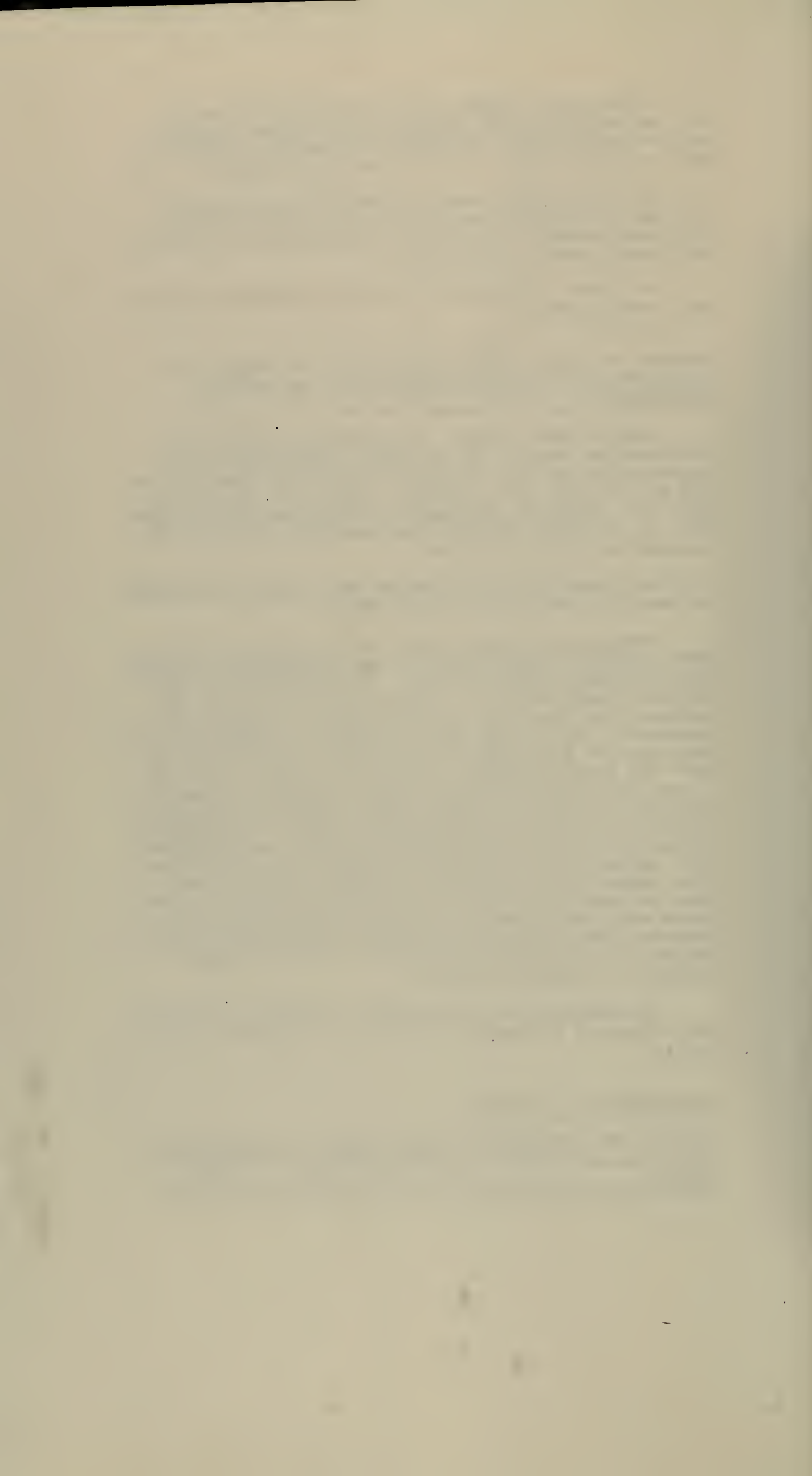
Lt. Frazier then suggested the Commission adjourn in memory of Sergeant Charles Fowlie.

Commissioner Nelder then said as you all well know Sergeant Charles Fowlie was shot up pretty badly while on duty some years ago. He and Sergeant James Erickson responded on a routine call and it was discovered that the suspects were holding a family as hostages. This family he said owned a drugstore and the suspects had come in at 6:00 A.M. and were going to make the family members open up thier safe. He said a very alert telephone operator out in the Fillmore District called the police saying something was wrong but didn't know what and Sergeant Fowlie and Sergeant Erickson responded and without knowing, the officers were ambushed and seriously wounded. He said if you ever spoke with Sgt. Fowlie you would notice that when he spoke he spoke very harshly because his vocal cords were shattered by a bullet to the throat. He continued by saying that Sergeant Fowlie was a great guy and a great policeman and that it was a good thought to remember Charlie.

The Commission then observed a moment of silence and adjourned in memory of the late Sergeant Charles Fowlie.

RESOLUTION NO. 1132-82.

REQUEST FOR SUPPLEMENTAL APPROPRIATION TO EXPAND THE SENIOR ESCORT OUTREACH PROGRAM INTO THE MISSION DISTRICT.

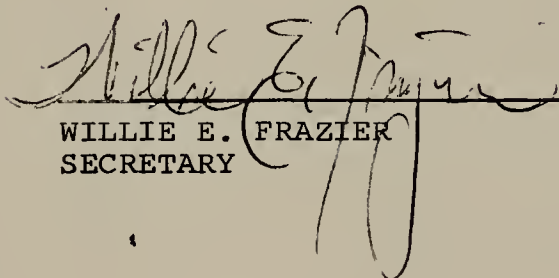


RESOLVED, that the Police Commission hereby approves the supplemental appropriation in the amount of \$57,248.00 to expand the Senior Escort Outreach Program into the Mission District.

AYES: Commissioners Daly, Toler, Nelder, Murphy

ABSENT: Commissioner Sanchez

The Commission then adjourned its meeting at 5:30 p.m.


WILLIE E. FRAZIER
SECRETARY





